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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF THE TERRITORY OF

NEW MEXICO.

SESSION 1858—59



SANTA FE:
A. DE MARLE, PUBLIC PRINTER.
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DECEMBER, 6th, 1858.

In conformity with the provisions of the Laws of the Territory, the following members of the House of Representatives met in the Representative Hall at half past 11 o'clock A. M.

Mr. Gallegos of San Miguel, proposed Mr. Pedro Valdez of Taos, as speaker *pro tem*, who being unanimously elected took the chair as clerk.

On motion of Hon. Jose G. Gallegos, Mr. John W. Dunn, Chief Clerk *pro tem*.

On motion of Mr. Gallegos of San Miguel, the members present, presented their credentials to wit.

Hon. Pedro Aragon,	from Rio Arriba.
" Felipe Sanchez,	" Taos.
" Bonifacio Romero	" Santa Fé.
" Francisco Lopez	" Valencia.
" Mateo Romero	" Taos.
" José Guadalupe Gallegos	" San Miguel
" O. P. Hovey,	" Santa Fé.
" Jose Vigil	" Valencia.
" Miguel Gonzales	" Bernalillo.
" José Luera	" "
" Ant. Guad. Cordova	" Rio Arriba.
" Pedro Valdez	" Taos.

Hon. Rafael Vign	from Taos.
" Manuel de Herrera	" San Miguel.
" Pedro Mares	" Taos.
" Jesus Ma. de Herrera	" Santa Fé.
" Juan Benavides	" " "
" Nicolas Lucero	" Santa Ana.
" Francisco Estevan Salazar	Rio Arriba.
" Manuel Jaramillo,	" Rio Arriba.
" Ant. Reyes Arragon	" San Miguel.

On motion of Mr. O. P. Hovey, a committee of eight was appointed to examine the credentials of the Members present.

The committee consisted of

Messrs. O. P. Hovey, Felipe Sanchez, José Vigil, Manuel de Herrera, José Apodaca, Antonio Martinez, José Lueñas, and Nicolas Lucero.

A committee of three was appointed to wait upon the Hon. Kirby Benedict, Chief Justice of the Territory and request him to administer the oath to the members present.

The committee appointed consisted of

Messrs. Juan Benavides, Manuel de Herrera and Pedro Valdez.

The members present took the oath in due form and took their seats as members of the House of Representatives.

On motion of Hon. O. P. Hovey, the rules of the last Session of the Legislative Assembly were adopted for the House.

On motion of Hon. O. P. Hovey, the House then proceeded to the election of officers and

Mr. José Guadalupe Gallegos, was nominated for Speaker, and these being no other candidate proposed, he was unanimously elected Speaker of the House of Representatives, and on taking the oath required by law, took his seat as such.

On motion of Hon. Hovey, the House then proceeded to the election of the Chief Clerk.

Hon. O. P. Hovey, nominated, Mr. Jesus María Sena y Baca, who being unanimously elected, entered upon the discharge of his duties.

The House then proceeded to the election of an assistant Clerk.

On motion of Hon. Pedro Valdez, Mr. Gabriel Lucero, was declared elected assistant Clerk.

The House then, proceeded to elect an Engrossing Clerk.

Whereupon, on motion of Hon. O. P. Hovey, Mr. Maximiliano Abreu, was declared unanimously elected Engrossing Clerk.

The House then proceeded to the election of an Enrolling Clerk.

When, on motion of Hon. Pedro Valdez, Mr. Faustin Baca y Ortiz, was declared unanimously elected Enrolling Clerk.

The House then proceeded, to the election of a Sergeant-at-Arms.

On motion of Mr. O. P. Hovey, Mr. Lorenzo Martin, was declared duly elected Sergeant-at-Arms.

The House then, proceeded to the election of a Doorkeeper.

On motion of Hon. Valdez, Mr. Pedro Durán was declared elected unanimously Door Keeper.

The House then proceeded, to the election of an Interpreter and Translator.

When on motion of Hon. Valdez, Mr. Louis Felsenthal, was declared

unanimously elected Interpreter and Translator for the House of Representatives.

Hon. O. P. Hovey, moved that the officers elect do now be sworn in. Agreed to.

The Officers elect, appeared, took the oath of office and entered upon the discharge of the duties of their respective offices.

Hon. Pedro Valdez, presented the following resolution :

Resolved : That the Chief Clerk of this House be hereby authorized to make a requisition on the Secretary of the Territory for writing materials, and such other things as may be necessary for the use of this House.

The resolution was adopted.

Hon. Pedro Valdez, presented the following resolution :

Resolved : That the thanks of the members of this House be tendered to the Hon. Kerby Benedict for his courtesy in visiting the House and administering the oath to the members and officers thereof.

The resolution was adopted.

On motion of Hon. O. P. Hovey, the House adjourned until tomorrow (Tuesday) at 11½ o'clock A. M.

DECEMBER 7th 1858.

The House met pursuant to adjournment.

The roll was called and a majority being present, the House proceeded to business.

The journal of yesterday was read and approved.

Hon. Valdez of Taos, submitted the following resolution :

Resolved : That the Chief Clerk apply to the Hon. Secretary of the Territory for copy of the rules of this House for each member thereof.

The resolution was adopted.

Hon. Aragon, of Son Miguel, there by leave submitted the following resolution :

Resolved : That a committee of three be appointed, to inform the Council, that the House is organized and ready to receive any communication or message, they may deem proper to make.

The resolution was adopted.

The committee appointed were

Messrs : Aragon of San Miguel, Valdez of Taos and Torres.

A committee from the Council, informed the House, that that body were organized and ready to receive communications and messages from the House.

Hon. Valdez, by leave submitted the following resolution :

Resolved : That a committee of three members be appointed, in

conjunction with a similar one from the Council, to wait upon His Exc. the Governor, and inform him that both Houses are organized and ready to receive any message or communication from His Excellency.

The resolution was adopted and the committee appointed were :

Messrs : Hovey, Herrera of San Miguel and Apodaca.

The Council informed, that Messrs.: Connelly, Sena y Romero and Sanchez, were the committee appointed by that body, to wait upon His Excellency the Governor, together with the committee from this House.

The committee report that they had complied with their duty, and that His Excellency the Governor, would deliver his message to both Houses to-morrow at 11 o'clock A. M.

On motion of Hon. Valdez, the House adjourned until to-morrow at 10 o'clock A. M.

DECEMBER, 8th 1858.

The House met pursuant to adjournment.

The roll was called and there being a majority present, the House proceeded to business.

The journal of the previous day (Tuesday) was read and approved.

Hon Valdez, by leave, submitted the following resolution :

Resolved : That a committee of three be appointed, in order that in company with a similar one from the Council, to visit His Excellency the Governor and conduct him to the House of Representatives."

The committee appointed was composed of

Messrs : Valdez, Benavidez and Jaramillo.

Mr. Valdez, submitted the following resolution :

Resolved : That a committee of three members be appointed, to wait upon the Council and invite that body to the House, at the hour His Excellency appointed, to deliver his message.

The resolution was adopted and the committee appointed were :

Messrs : Valdez, Martinez and Gonzales of Bernalillo.

On motion of Hon. Valdez, the House took a recess for 10 minutes.

At the expiration of 10 minutes the House was called to order, and the joint committee of both Houses announced His Excellency, at the door of the House of Representatives, when he was conducted to the Speakers Stand.

Whereupon, the Governor, Abraham Rencher delivered to both Houses in joint session his second annual message, which as follows :

GOVERNOR'S MESSAGE.

Gentlemen of the Council and of the House of Representatives :

I am happy to meet, on this occasion, the Representatives of the people, called together as you have been from all parts of the Territory, to consult for the public good. In the few observations which I am about to submit to you, I shall confine myself to such measures of legislation as appear to me most necessary and proper. No doubt your more intimate knowledge of the country and its wants will enable you to supply many others equally necessary and important.

There are many subjects upon which you have no power whatever to legislate, but which are, notwithstanding, of vital importance to the Territory. These subjects belong exclusively to the powers and duties of the Federal Government, and to which we must appeal for relief or redress of grievances. Such subjects have been committed into the hands of your Delegate in Congress; but who, however able and zealous he may be, will be greatly aided by resolutions and memorials from the Legislative Assembly. To these subjects, therefore, I shall first invite your attention.

The subject of Indian depredations is one of prominent importance to the people of the Territory. The wrongs which they have suffered at the hands of the Indians, ever since it was a Territory, have been enough to exhaust both the energies and patience of any people upon earth. They have borne this long suffering with unexampled forbearance. They have confided in the parental assurances of the Federal Government, that as they were forbidden by law to vindicate their own wrongs, the United States would provide for their indemnification. "But up to this time the promise has been kept 'only to the ear.'" By the Act of Congress, approved June 30th, 1834, the United States guarantee to the injured party, "*an eventual indemnification: Provided, such injured party shall not violate any of the provisions of the act, by seeking or attempting to seek private satisfaction or revenge.*" The people of the Territory have been forbidden to redress their own wrongs, and have in consequence been promised *an eventual indemnification*. They have, in many instances, been restrained from the lawful pursuit and re-capture of their own property, when taken by the Indians, from the fear of incurring the displeasure of the Federal Government, and of forfeiting their claims upon it. But the re-capture of one's own property, when taken by the Indians, is not seeking or attempting to seek private satisfaction, or revenge. It is not only a right, but is a duty which belongs to every man, and which the laws of the United States do not forbid. I recommend, therefore, that the Legislative Assembly memorialize Congress in the most earnest manner to constitute a Board of Commissioners to adjudicate these claims for Indian depredations, with a view to that eventual indemnification which has been so long promised by the United States, but which they have never performed.

Of not less importance to the Territory is the subject of private land claims. While there is so much uncertainty in land titles in the Territory, with no suitable tribunal to investigate and decide upon them, there must be a standstill to the settlement, as well as to the improve-

ment of the country. As the law now stands, the Surveyor General is directed to report the facts to Congress with his opinion upon them. But a Surveyor General is not appointed to office with any reference to his knowledge of law, and is no supposed to have the legal learning so necessary to the investigation and decision of difficult land titles. Congress, therefore, would not take the opinion of the Surveyor General upon questions of law, nor would they be governed by his statement of facts, which, in the absence of any solicitor on the part of the United States, would necessarily be *ex parte*. The consequence would be, that most of the cases would remain for years as the unfinished business of Congress, and would ultimately have to be sent back here for the investigation and decision of a Board of Commissioners. I, therefore, recommend that you memorialize Congress for the establishment of such a Board at once, composed of able and experienced lawyers, having time and ability to investigate and decide upon land titles. A Board otherwise composed would be worse than worthless—certainly much worse than the present system. If thought advisable on the score of economy, such a Board might be charged with the additional duty of deciding upon claims for Indian depredations. It could easily discharge both duties.

The Secretary of the Interior, in his last annual report, recommended a geological survey of this Territory. No small appropriation could be of more value to us. By disclosing the vast mineral resources of the Territory, men of capital and enterprise would be attracted to it.

It is to be hoped therefore that the enlightened Secretary will again press the subject upon the attention of Congress.

The great improvement made in some of our roads, under the skillful and efficient direction of Captain McComb, has been the subject of general admiration by all who have had occasion to travel over them. Some of the most difficult mountain passes have been rendered comparatively safe and easy. The appropriation was a small one, and its benefits of limited extent; but the improvement already made is an earnest of what might be done for the Territory by a more liberal appropriation, expended under the supervision of so excellent an officer. These improvements, though made ostensibly for military purposes, greatly facilitate intercourse and trade between the various parts of the country, and thus promote, to some extent, all the elements of national prosperity. The subject, therefore, is recommended to the favourable consideration of the Legislative Assembly.

In thus adverting to what has been done and is proposed to be done by other Departments of the Federal policy, pursued by the Post Master General towards this remote Territory, in the great increase of our mail facilities during his administration of the Post Office Department. These mail facilities are not only a blessing to the civilized, but they are the civilizer of the Savage; and nothing contribute more to tame and subdue the wild Indian and add safety to travel across the plains, than the frequent and certain transmission of the Mail Stage. But may we not hail these mail facilities not only as a present good, but as the harbinger of a future and still greater improvement, confident that the crack of the coach whip is to be followed, at no distant day, by the shrill and animating whistle of the steam engine.

You will perceive, from the unfinished and exposed walls of the New Capitol and Penitentiary, that no appropriation for their completion

was made at the last session of Congress. I hope we shall be more successful at the present one. Estimates, therefore, have been transmitted to the Secretary of the Treasury, with such arguments in favor of an additional appropriation as appeared to me just and proper. The delay in the construction of these buildings is much to be regretted on many accounts. They are greatly exposed, and, in their unfinished state, are growing worse every day. The Penitentiary is especially needed, from the unsafe condition of most of our County jails. Indeed many of our criminal laws, in fixing a long term of imprisonment for the punishment of convicts, was no doubt framed with reference to the existence of such an institution. A long term of imprisonment in our county jails, where all are huddled together in idleness and vice, does no good to the convict, or to the community. Generally both are injured by it. If it is the good pleasure of the convict to remain in jail till the expiration of his term of imprisonment, he generally comes out a worse man, and the community is punished by having to pay a heavy bill of prison fees. Until the Penitentiary be finished, therefore, it is well worthy of consideration whether it would not better to substitute, in most cases, a more summary and certain mode of punishment, in place of the long term of imprisonment now imposed by law. I am told that the corporal punishment, inflicted for what are known as infamous offences, under the late law establishing the county courts, has had a salutary effect wherever it has gone into operation. I doubt not its extension to convictions for similar offenses in the Superior Courts, would be equally salutary.

Upon my arrival here, I found the Old Palace uninhabitable, and much of it falling into ruins. Upon representing these facts to the Secretary of the Treasury, and requesting that he would allow me to apply \$2,500 of the Legislative fund to its repair, in pursuance of the law of 1852, he promptly made the order; and I have made the repairs which I hope may be satisfactory. The Hall of Representatives has been transferred to this end of the Palace, because more suitable for legislation; and for the further reason that, according to the plan of the New Capitol when finished, this end of the Old Palace is to be removed for the purpose opening a street leading to it. This change will then produce no inconvenience to the House of Representatives, as they will have been better provided for. The sum asked was not sufficient to complete the repair, but I doubt not the able Secretary, upon a further application, will authorize a sufficient amount for so just and proper a purpose.

Having thus disposed of our Federal relations, I must now invite your attention to subjects nearer home, and which fall exclusively under your own jurisdiction. Among these the most important is the financial condition of the Territory. I submit herewith the Report of the Treasurer, and that of Auditor of public accounts. From these reports it appears that the amount of warrants drawn upon the treasury, during the fiscal year ending the 15th of November 1853, was in round numbers \$5,715, while the amount of cash received for the same year was \$8,767, making a surplus of receipts over expenditures for the year of \$2,054. The public debt, outstanding at the commencement of the year, was \$9,872. From this sum deduct \$3,054, the amount of receipts over expenditures for the year, and it will leave a balance of

\$3,818, being the debt of the Territory outstanding on the 15th. day of November 1858. The amount of cash received, for the fiscal year ending the 15th. of November 1857, was \$7,664. But a portion of the revenue accruing during that year was not paid in consequence of the default of certain collectors, and was paid during the last fiscal year and appears in the amount of receipts for that year. So that, in fact there was no increase of revenue during the last fiscal year, and therefore no increase of revenue under the late revenue law. It appear that the expenditures were diminished during the last year to the amount of \$3,054. This has arisen, in part, from the repeal of the law relative to the territorial prison, and partly from the failure to hold courts of justice in some parts of the Territory, and from my inability to obtain suitable prosecuting attorneys, in consequence of the great depreciation of territorial warrants. I must, therefore, call your attention again to the necessity of raising additional revenue from some quarter. Society can not exist without Government, and the machinery of government can not be kept in motion without expense. Good governments do not come to us like the dews of heaven, without money and without price. If we would have our lives and our property protected, we must pay something to support the Government which does it. The tax thus laid for the support of Government should be as light as possible, and paid by all alike, according to the amount of property owned by each. To impose the whole burthen of taxation upon a few for the common benefit of all, would be unjust and anti-republican. I, therefore, commend the report of the auditor, upon this subject, to the favorable consideration of the Legislative Assembly.

The public debt of the Territory is very small. It does not equal the revenue of a single year; and yet it so happens, that most of those who hold Territorial warrants must lose one half their amount to get the other half in cash. Many of these warrants have been outstanding for years, because the holders were not willing to make such a sacrifice, and in the hope that the Territory would soon redeem them in good faith. If therefore the Legislative Assembly is notable to provide means for paying the whole debt as fast as it is presented, I recommend that provision be made for paying all warrants, both Territorial and County, at the Treasury of each, according to their date. This would be both just and proper. If you could not pay him this year, he would be certain of it next, and would wait with patience. As it now is, he may wait half his life time, and still have to sacrifice his warrant; and this too when the whole debt of the Territory is not one year's revenue. This injustice done to your public creditor calls loudly on you for redress. If you can not do him full justice, in God's name do it as near as you can not pay him this year, give the assurance that is shall be done the next.

The office of Attorney General, and those of the two Circuit Attorneys are all vacant. I have not been able to obtaining any suitable and competent lawyers to hold those appointments in consequence, no doubt, of the small remuneration attached to them. The salaries though nominally sufficient, have been rendered inadequate by the great depreciation of Territorial warrants. A provision of law, similar to the one above recommended, would doubtless bring them at once to par value, or nearly so, and the appointments would then be more ac

ceptable. But is not necessary that these appointments should be in separate hands, and it would be better to blend them in the same person. The salary would then be desirable, and enable the Governor to appoint to the office of Attorney General, a gentleman of talents and integrity equal to its responsible and important duties.

In my last annual message, I felt it my unpleasant duty to advert upon the mutilated condition of our judicial system. Under a construction given to a law of Congress, courts have been authorized to be holden as heretofore, in all the counties. For some years past, the Territory has suffered from this derangement in her judicial system. For courts of justice were held at only three points throughout this extensive Territory, and two thirds of the counties were deprived of courts altogether. The injustice and hardship of such a system were too great for endurance, and upon a representation of it to congress, two or three years, we have been comparatively without courts; and for the last year, but for our learned and indefatigable Chief Justice, we should have been altogether without Judges. In many parts of the Territory, the people have been left to themselves, and it is a pleasing evidence of their law-abiding and orderly character, that there has not been more violence and disorder. I am happy therefore, if it be considered necessary, that provision be made by law for remanding all causes, now in the District Courts, to the counties to which they properly belong, so that they may be ready for trial at the next term of the court.

In consequence of the restoration of the Circuit Courts to all the counties of the Territory, it may be thought advisable to remodel the law establishing the County Courts. In a free government like ours, I consider county courts a valuable institution; but in the financial condition of the Territory, and most of the counties, the expense of two jury courts may be thought too burthensome. If so, I recommend that the jury be dispensed with, and that the court remain, as a Court of Probate and Registration, holding and exercising all the powers heretofore held and exercised by the Judge of Probate. Without adding to the expense of the court of probate, this would add greatly to its value and efficiency. The powers exercised by the Judge of Probate, are among the more sacred and important that belong to us as a community. They effect the interest both of the living and of the dead, and the order, improvement and character of the county, and of our county towns, depend mainly on the manner in which the court of Probate exercises its various and important powers.

I have only one other suggestion, and I am done. The best of laws are made to little purpose unless there is sufficient virtue and integrity in the community to see that they are extended *Leyes sine moribus sunt vana*, was the sentiment of a great statesman of antiquity. Indeed, laws however good in themselves, if allowed to be constantly and openly violated with impunity, become worse than useless, because they often lead to the violation of other laws, under the hope and relief that they too are made to be violated. If therefore you find upon the statute book, laws which you believe to be good, but which you know to be habitually violated, you should add such penalties to the violation of the law, and inflict such punishment upon

ful public officers, as will insure, if possible, the execution of the law. But if, after all, society is so demoralized, and sworn public officers so wanting in integrity, that the law cannot be enforced and the vice suppressed, it would be better to repeal the law altogether, and not allow ourselves to be guilty of the double shame of tolerating both the vice, and the open violation of the law which was wisely but vainly intended for its suppression.

In conclusion let us invoke the guidance of that Divine Being, who holds in his hands the destiny of nations, that he would bring all our labours for the public good, to a happy and successful termination.

The Message being read, His Excellency and the Honorable Council retired.

Mr. Sanchez submitted the following resolution

Resolved: "That the Chief Clerk of the House be instructed to procure from the Secretary of the Territory, a copy for each member of this House, of the Journal of last session."

The resolution was adopted.

Hon. Hovey submitted the following resolution:

Resolved: That the Hon. Secretary of the Territory be authorized and directed to have fifteen hundred copies of His Excellency the Governor's Message printed, one thousand in Spanish and five hundred in English for the use of this House."

The resolution was adopted.

Hon. Valdez submitted the following resolution

Resolved, That the Chief Clerk be instructed to procure from the Hon. Secretary of the Territory 24 copies of the laws of the Assembly passed in the years 1857—58 for the use of this House.

On motion of Hon. Hovey, the business on the Speaker's Table was taken up.

The reports of the Auditor and Treasurer were ordered to the translator for translation into the Spanish language.

On motion of Hon. Lucero, the House adjourned until to-morrow (Thursday) at 10 o'clock A. M.

DECEMBER, 9th 1858.

The House met pursuant to adjournment.

The roll was called and there being a majority present, the House proceeded to business.

The journal of the previous day (Wednesday) was read and approved.

The Speaker announced to the House the following committees.

On Judiciary :

Messrs. Valdez, Hovey, Apodaca, Cordova and Gonzales.

On Territorial Affairs :

Messrs. Hovey, Lueero and Torres.

On Public Printing :

Messrs. Benavides, Romero of Taos and Aragon of Rio Arriba.

On Public Buildings :

Messrs. Herrera from San Miguel, Sanchez and Vigil from Taos.

On Indian Affairs :

Messrs. Arragon from San Miguel, Salazar and Romero from Santa Fe.

On Library :

Messrs. Torres, Mares and Martinez.

On Education :

Messrs. Vigil of Valencia, Salazar and Lueras.

On Agriculture and Manufacture :

Messrs. Romero of Taos, Herrera of San Miguel and Lopez.

On Revenue :

Messrs. Romero of Santa Fe, Jaramillo and Lueras.

On Minerals and Public Lands :

Messrs. Jaramillo, Lueras and Apodaca.

On Privileges and Elections :

Messrs. Lopez, Romero of Taos and Aragon of San Miguel.

On Limits and Counties :

Messrs. Vigil of Valencia, Aragon of Rio Arriba and Vigil of Taos.

On Internal Improvements :

Messrs. Salazar, Benavides and Herrera of San Miguel.

On Roads and Ditches :

Messrs. Mares, Salazar and Lopez.

On Public Property :

Messrs. Sanchez, Lueras and Gonzales.

On Militia :

Messrs. Lueras, Martinez and Vigil of Valencia.

On Engrossed Bills :

Messrs. Valdez, Martinez and Apodaca.

On Enrolled Bills :

Messrs. Herrera of Santa Fé, Hovey and Torres.

Hon. Valdez by leave submitted the following resolution :

Resolved, That the Chief Clerk of this House be instructed to furnish His Excellency the Governor, the Secretary of the Territory and the council, with a list of the officers of this House.

The resolution was adopted.

Hon. Valdez, by leave introduced a memorial, relative to the Legislative Assembly memorializing the Secretary of the Interior, to allow David V. Whiting three thousand and forty dollars, pay as translator for the Legislature in the year 1851, which was read the first time.

Hon. Valdez moved the rules be suspended and the Memorial read the second time. Not agreed to.

On motion of Hon. Hovey, the vote of yesterday on the passage of a resolution, concerning the printing of His Excellency the Governor's Message was reconsidered.

Hon. Hovey, by leave, introduced a Joint Resolution, authorizing the Secretary of the Territory, to contract for the printing of fifteen hundred copies of His Excellency the Governor's Message, which was read the first time.

On motion of Hon. Valdez, the rules were suspended and the Joint Resolution read the second time.

On motion of Hon. Hovey, the rules were further suspended, the Joint Resolution read the third time and passed.

Hon. Hovey, by leave, introduced a Joint Resolution requiring the Secretary of the Territory to prepare four rooms in the Palace, with chairs, tables and other necessities, as committee rooms of said Houses, which was read the first time and

On motion of Hon. Herrera of San Miguel, the rules were suspended and the resolution read the second time.

On motion of Mr. Valdez, the rules were further suspended the resolution read the third time and passed.

On motion of Hon. Lueras, the House adjourned until to-morrow, Friday, at 3 o'clock P. M.

DECEMBER, 10th 1858.

The House met pursuant to adjournment.

The roll was called and a majority being present, the House proceeded to business.

The journal of yesterday was read and approved.

Hon. Valdez, of Taos, introduced a joint resolution requesting His Excellency the Governor to inform the Legislative Assembly of the condition of the War with the Navajoes, which was read the first time and

On motion of Hon. Valdez, the rules were suspended, and the resolution read the second time.

On motion of Hon. Sanchez the rules were further suspended, the resolution read the third time and passed.

On motion of Hon. Herrera from San Miguel the House adjourned until Monday, December 13th. at 2 o'clock P. M.

DECEMBER, 13th 1858.

The House met pursuant to adjournment.

The roll was called and a majority being present the House proceeded to business.

The journal of Friday was read and approved.

Mr. Herrera of San Miguel, submitted the following resolution:

Resolved: that the Chief Clerk of this House request the Secretary of the Territory to furnish the House with twenty four copies of the Revised Code and twenty four copies of the laws passed at the session of the Assembly, in the years 1856—57 for the use of the Members of the House."

The resolution was adopted.

Hon. Valdez. moved to take up the memorial for the relief of David V. Whiting. Not agreed to.

On motion of Hon. Valdez, the House proceeded to take up the business on the Speaker's table.

A joint Resolution, which originated in this House, relative to the printing of 1,500 copies of His Excellency the Governor's message, was concurred in by the Council,

A communication was received from the Hon. Council, enclosing a list of the officers of that body.

The communication was read and laid on the table.

A Council joint resolution, authorizing a committee to be appointed on Enrolled Bills, was read the first time, and

On motion of Hon. Herrera of San Miguel, the rules were suspended and the joint resolution read the second time.

On motion of Hon. Hovey the Resolution was referred to the committee on Territorial Affairs:

Acts on their second reading were declared in order.

A memorial relative to the relief of D. V. Whiting was read the second time.

Hon. Herrera moved to refer the Memorial to the committee on Enrolled Bills. Not agreed to.

On motion on Hon. Hovey the memorial was read the third time and passed.

Hon Sanchez moved to adjourn the House until to-morrow at 11 A. M.

Hon. Hovey called for the ayes and noes, when it was decided in the negative, ayes 8, noes 16.

So the House refused to adjourn.

Hon. Herrera moved that the House adjourn until to-morrow at 10 o'clock A. M. Not agreed to.

Hon. Valdez moved the rules be suspended in order that he should present a resolution. Agreed to and

Hon. Valdez submitted the following resolution:

Resolved, "That a committee of three be appointed, to act with a similar one from the Council, to present Bills to His Excellency the Governor for his approval."

Hon. Hovey called for the Ayes and Noes on the adoption of the resolution, when it was decided in the affirmative. Ayes 20, Noes 4.

So the resolution was passed and the committee appointed was composed of

Messrs. Herrera of San Miguel, Hovey and Valdez of Taos.

Hon. Hovey, by leave, introduced a Joint Resolution, providing for a Joint Session of both Houses on Monday next, 20 of December 1858 for the purpose of electing a Public Printer, which was read the first time.

On motion of Hon. Sanchez of Taos, the rules were suspended and the Joint Resolution read the second time.

Hon. Valdez offered to amend the title as follows:

"Be it resolved by the Legislative Assembly of New Mexico,"

Which amendment was adopted.

Hon. Arragon of Rio Arriba moved to adjourn until to-morrow at 2 o'clock P. M. Not agreed to.

On motion of Hon. Valdez the rules were suspended, the Joint Resolution, relative to the election of a Public Printer was read the third time and passed.

On motion of Hon. Torres the House adjourned until to morrow (Martes) at 2 o'clock P. M.

DECEMBER, 14th 1858.

The House met pursuant to adjournment.

The roll was called and a majority being present, the House proceeded to business.

The journal of yesterday was read and approved.

Hon. Hovey introduced a Memorial, asking that a commission be appointed to make a Geological Survey, and \$25,000 be appropriated to pay the expenses thereof, which was read the first time.

On motion of Hon. Valdez, the rules were suspended and the memorial read the second time.

On motion of Hon. Romero of Santa Fé, the rules were further suspended, the Memorial read the third time and passed.

Hon. Hovey, introduced a memorial addressed to Congress, asking that a Board of Land Commissioners be appointed to examine and de-

cide on land-claims which was read the first time, and passed to its second reading.

Hon. Herrera, introduced a Memorial, relative to the Public Buildings, which was read the first time.

On motion of Hon. Apodaca, the rules were suspended and the memorial read the second time.

On motion of Hon. Hovey, the memorial was referred to the committee on Territorial Affairs.

Hon. Hovey introduced a resolution requesting His Excellency the Governor, to transmit copies of memorials to His Excellency James Buchanan, President, to the Senate and House of Representatives and to our Delegate in Congress, which was read the first time and

On motion of Hon. Romero de Santa Fé, the rules were suspended and the resolution read the second time.

On motion of Hon. Valdez the rules were further suspended, the resolution read the third time and passed.

On motion of Hon. Herrera of San Miguel the business on the Speaker table was taken up.

A House Joint Resolution, requesting H. E. the Governor to inform the Assembly, of the actual state of the war with Navajoes, was concurred in by the Council.

A Council joint resolution, requesting the Secretary of the Territory to furnish committee rooms for the present session of the Assembly was read the first time and

On motion of Hon. Torres, the rules were suspended and the resolution read the second time.

On motion of Hon. Valdez, the rules were suspended further, the resolution read the third time and passed.

A Council memorial, directed to the Congress of the United States, asking for the establishment of two military Posts in this Territory, was read the first time.

On motion of Hon. Torres, the rules were suspended, and the memorial read the second time.

On motion of Hon. Hovey, the rules were further suspended, the memorial read the third time and passed.

A Preamble and joint Resolution praying the Senate of the United States, to confirm the appointment of Wm. Pelham as Surveyor General, which originated in Council, was read the first time, and

On motion of Hon. Valdez, the rules were suspended and the resolution read the second time.

Hon. Herrera, of San Miguel moved to refer the Preamble and Joint Resolution to the committee on Engrossed Bills. Not agreed to.

On motion of Hon. Hovey, the rules were further suspended; the resolution read the third time and passed.

A communication from the Council was read in which they inform this House, that Messrs. Nasario Gonzales, Juan Jose Sanchez and Geronimo Jaramillo, are the committee on the part of the Council to present Bills to His Excellency, for his approval.

A communication was received from the Council asking the House to amend a memorial relative to the pay of D. V. Whiting, and

On motion of Hon. Hovey, the following amendment was made to the title.

"Memorial of the Legislative Assembly of the Territory of New

Mexico, to the Senate and House of Representatives in Congress assembled."

A Council memorial requesting the Secretary of the Interior to close the property stolen by Indians to be paid for, was read the first time. and

On motion of Hon. Valdez, the rules were suspended and the memorial read the second time.

On motion of Hon. Valdez the rules were further suspended, the memorial read the third time and passed.

On motion of Hon. Valdez, the memorial relative to the examinations of Lands, was taken up out of order and read the second time.

Hon. Herresa of San Miguel, moved to refer to a special committee of three. Not agreed to.

Hon. Valdez in the chair.

On motion of Hon. Gallegos, the memorial was referred to the committee on Agriculture and Manufacture.

On motion of Hon. Valdez the House then took a recess for 10 minutes.

At the expiration of 10 minutes the House was called to order and

Hon. Romero of Taos, Chairman of the committee on Agriculture and manufactures made the following report :

"Mr. President : The committee on Agriculture and Manufacture, to which was referred a memorial praying Congress to appoint a Board of Land Commissioners to examine Land Titles, have lead the same under consideration and having examined it carefully, believe it to be of much benefit to the Territory, and therefore report it back to the House with an amendment and recommend its passage."

"Matias Romero, Chairman of the committee."

The report was adopted and

On motion of Hon. Valdez, the rules were suspended the memorial as amended was read the third time and passed.

Hon. Hovey, from the committee on Territorial Affairs made the following report :

"Mr. Speaker : The committee on Territorial Affairs, to which was referred a memorial to the Congress of the United States, relative to Public Buildings, have had the same under consideration and having examined, the committee have deemed proper to submit to the House the following preamble and joint resolution and recommend its passage"

"Whereas, we having been informed by the first part of the eighth paragraph of the message of His Excellency A. Rencher, Governor of the Territory, that estimates have been transmitted to the Hon. Secretary of the Territory, with such arguments in favor of an additional appropriation as appeared to him just and proper for the completion of the Capitol and Penitentiary of the Territory." "Therefore :

"Be it resolved by the House of Representatives of the Legislative Assembly of the Territory of New Mexico: That His Excellency

the Governor be very respectfully requested to transmit to this House, a copy of the estimates and arguments transmitted to the said Secretary of the Treasury or a report in relation to the appropriation required to complete the said Public Buildings, according to the estimates forwarded, in order that this Assembly may memorialize Congress for said appropriation as soon as possible."

The report and resolution were adopted.

Hon. Hovey, submitted the following resolution:

Resolved: That His Excellency, the Governor, be requested to procure for the use of this House an account of the estimates of the money, that have been made for the construction of Military roads and forwarded to the Military Department in Washington."

The resolution was adopted.

On motion of Hon. Valdez the House adjourned until to-morrow at 10 o'clock A. M.

DECEMBER, 15th 1858.

The House met pursuant to adjournment.

The roll was called and there being a majority present, the House proceeded to business.

The journal of the previous day was read and approved.

Hon. Lopez, laid before the House a communication from the Judge of Probate of Valencia county, giving an account of depredations committed in his county, which was read and laid on the Table under the rules.

Hon. Valdez by leave, made the following report

Mr. Speaker: "The committee on engrossed bills, to which was referred a joint resolution, asking His Exc. the Governor to inform the Assembly relative to the state of the war with the Navajoes, have had the same under consideration and find them correctly engrossed."

P. VALDEZ, Chairman of the Committee.

The report was adopted.

Hon. Hovey, introduced a Memorial to the Congress of the United States, praying a Board of Commissioners be established in this Territory to decide upon claims for Indian depredations, which was read the first time.

On motion of Mr. Benavides, the rules were suspended and the Memorial read the second time.

motion of Hon. Sanchez, the rules were further suspended, the Memorial read the third time and passed.

On motion of Hon. Valdez, the communication from the Judge of Probate of Valencia County, was taken up.

When on further motion of Hon. Valdez, the communication was referred to the committee on Territorial Affairs.

On motion of Hon. Torres, the House took a recess for 10 minutes.

At the expiration of 10 minutes the House was called to order.

On motion of Hon. Valdez, the business on the Speaker's Table was taken up.

A Joint Resolution, requesting His Excellency to forward copies of Memorials and Joint Resolution to the President of the United States, to the President of the Senate, Speaker of the House and to the Delegate for N. M." which originated in the House, was concurred in by the council.

A House Joint Resolution, asking for an appropriation of \$25,000, and the appointment of a Board to make a Geological Survey of the Territory, received the concurrence of the council.

A House Memorial, praying Congress to appoint a Board of Commissioners to pass upon claims for Indian depredations in this Territory, received the concurrence of the Council.

On motion of Mr. Hovey, the House adjourned until 3 o'clock P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.

The roll was called and a majority being present, the House proceeded to business.

Hon. Valdez by leave introduced the following Preamble and Joint Resolution.

"Whereas, the Hon. José Guadalupe Gallegos has been elected Speaker of this House of Representatives, for the present session of the Legislature, and

"Whereas, the Speaker's Chair of this House, is too narrow and too small for our Speaker to seat easy."

"Therefore be it resolved by the House of Representatives, that the Chief Clerk of this House be instructed, to respectfully request the Hon. Secretary of the Territory, to furnish a larger chair for the use of our Speaker."

The resolution was adopted.

Hon. Valdez made the following report

"The committee on Enrolled Bills to which was referred a Joint Re-

solution, relative to the appointing of a Geological Commission and an appropriation of \$ 25,000 for the discovery of minerals, have carefully revised the same and find it correctly enrolled:

The report was adopted.

Hon. Valdez offered by leave, the following resolution:

Resolved, "That the 40th rule of this House be amended in the word in the second line, "aye" by striking out said word and insert, "Si."

The resolution was laid on the Table for one day under the rules.

On motion of Hon. Valdez, the House adjourned until the following day (Thursday) at 2 o'clock P. M.

DECEMBER, 16th 1858.

The House met pursuant to adjournment.

The roll was called and a majority being present, the House proceeded to business.

The journal of the day previous was read and approved.

Hon. Valdez made the following report

"The committee on Enrolled Bills, to which was referred, "a Memorial, to the Congress of the United States, relative to the passage of a law creating a commission in this Territory for the purpose of taking testimony relative to Indian robberies," and

"A Joint Resolution, requesting his Excellency the Governor of this Territory to transmit copies of memorials to the Presiding Officers of each House of Congress, to the President, James Buchanan and to our Delegate in Congress."

"The committee have examined them and find them to be correctly enrolled."

The report was adopted.

Hon. Herrera of San Mignel, introduced

"An act, amendatory of the law concerning animals," which was read the first time.

On motion of Mr. Sanchez the rules were suspended and the act read the second time.

On motion of Hon. Valdez, the act was referred to the committee on Judiciary.

On motion of Hon. Torres, the business on the Speaker's Table was taken up.

A message was received from His Excellency the Governor, stating that His Exc. had approved a Joint Resolution, authorizing the publication of the Governor's Message, when

The following Special Message was received from his Excellency, the Governor.

EXECUTIVE DEPARTMENT

Santa Fé, December 15 1858.

To the House of Representatives
of the Territory of New Mexico:

In reply to the resolution of the Houses of Representatives, calling for information on the subject of Military Roads in this Territory, I have the honor herewith to submit to the House of Representatives a letter and report from Captain Sohn A. Macomb, Topographical Engineer of the United States Army, in charge of these roads, which will furnish all the information sought for by the House of Representatives.

In reply to the resolution calling for the Estimates and arguments, transmitted by me to the Secretary of the Treasury, in favour of the completion of the Public Buildings in the Territory, I have the honor to state that the Estimates for the completion of the New Capitol and Penitentiary were made with much care by Judge Houghton, Superintendent of Public Buildings, and under whom they have been thus far constructed. His Estimates, with the reasons for them, are given in detail and at great length, but I do not understand that the House desire his entire Report. If they do, it can be furnished.

His final estimates are as follows:

For the completion of the New Capitol	\$60,000
For the completion of the Penitentiary,	
With the outer wall of adobes,	\$12,000
With the outer wall of stone,	\$23,400
With 32 instead of 16 cells,	\$33,400

It thus appears that the amount necessary to complete the Penitentiary, will depend on the manner in which it is to be finished. If finished according to the original plan, with an outer wall of adobes and only 16 cells, it will require only \$12,000 to finish it. If the outer wall is built of stone, it will require \$23,400 and if the number of cells is 32 instead of 16, it will require \$12,000 in addition. Judge Houghton in his Report recommended the largest estimate, but, in transmitting it to the Secretary of the Treasury, I stated that I concurred with him in opinion in every thing except in the outer wall, which I thought might very well be built of adobes instead of stone, if lime mortar were used instead of mud in its construction. This would only add about 15 per cent to the cost, and would make a substantial and durable wall; and the Penitentiary would be sooner completed. If my suggestion should be adopted, the amount necessary to complete the Penitentiary, with 32 instead of 16 cells, will be \$23,800. I strongly advised the removal of the Penitentiary to a more suitable place; but I suppose the Secretary will not consent to it, in consequence of the large amount of money already spent upon it.

The great objection, in Congress, to any further appropriation to complete these Buildings, is made on the ground, that the large amount of money heretofore appropriated has been wastefully and improperly expended. I have endeavoured to remove this objection in my correspondence with the Secretary of the Treasury, and also with the Secretary of the Interior, who was directed, by a resolution of Congress, to correspond with me on the subject for the purpose of ob-

certain information. I do not suppose the House of Representatives desire a copy of these letters, and therefore have not thought it necessary to have them transcribed.

Very respectfully submitted

A. RENCHER.

Gov. N. Mexico.

A Council Memorial praying an appropriation of \$196,000, to complete the repairs on the roads already commenced in this Territory, was read the first time.

On motion of Hon. Herrera the rules were suspended, and the Memorial read the second time, and

On motion of Hon. Valdez, the rules were further suspended the Memorial read the third time and passed.

On motion of Hon. Valdez, the resolution amending the rules, was taken up, and passed unanimously.

On motion of Hon. Herrera of San Miguel the House adjourned until the following day at 10 o'clock A. M.

DECEMBER, 17th 1859.

The House met pursuant to adjournment.

The roll was called and a majority being present the House proceeded to business.

The journal of yesterday, Thursday, was read and approved.

Hon. Luceras moved a call of the House, and the roll being called, the following did not answer when their names were called

Messrs. Apodaca, Gonzales, Hovey, Lopez, and Romero of Taos.

On motion of Hon. Valdez, the further call of the House was dispersed with.

Hon. Valdez, introduced "an act entitled an act amending and reforming the law concerning the duties and qualifications of justices of the Peace and Constables," which was read the first time.

On motion of Hon. Sanchez, the rules were suspended and the act read the second time.

Hon. Hovey, moved to refer the act to the committee on Judiciary, and called for the Ayes and Noes, when it was decided in the affirmative, Ayes 14, Noes 10.

So the act was referred.

Hon. Aragon from San Miguel, by leave, made the following report:

"The committee on Indian Affairs, to which was referred a communication from the Probate Judge of Valencia County, have had it under consideration, and recommend the communication together with

the reports relative to Indians depredations committed in that county, be laid on the table until the Prefects of the several counties shall have made their respective reports as required by Law."

The report was adopted.

Hon. House by leave, made the following report :

"The committee on Territorial Affairs, to which was referred a Joint Resolution, from the Council, relative to appointing a Joint Committee to revise the laws, and make out a list of all those that require amendments or modifications, have had the same under consideration, and recommend the adoption thereof, with the accompanying amendment."

The report was adopted, and

The resolution passed to its third reading.

On motion of Hon. Sanchez the the House took a recess for 10 minutes.

At the expiration of ten minutes the House was called to order.

On motion of Mr. Herrera of San Miguel, the House proceeded to the business on the Speaker's Table.

The Council concurred in the passage of the House Joint Resolution relative to the election of a Public Printer.

The council concurred in the passage of the House Memorial, praying the Congress of the United States, to pass a Law creating a Board of Land Commissioners in this Territory, with the following amendment.

Strike out all that part which directs our Delegate to use all his influence in its passage "

The House concurred in the Council admendment.

On motion of Hon. Valdez, the House adjourned until to morrow, (Saturday) at 10½ o'clock A. M.

SATURDAY, DECEMBER, 18th 1858.

The House met pursuant to adjournment.

The roll was called and a majority being present, the House proceeded to business.

The journal of yesterday was read and approved.

A communication from the Probate Judge of Santa Fé, County, giving a statement of the property stolen by the Indians in this county

The communication was read, and on motion of Hon. Hereera of San Miguel laid on the Table:

Hon. Valdez, by leave, offered the following resolution :

Resolved, by the House of Representatives: "That the Chief Clerk

of this House be instructed to request the Honorable Secretary of the Territory of New Mexico, to furnish a cloakrack as soon as possible for the use of the members of this House"

The resolution was adopted.
Hon. Hovey, made the following report:

"Mr. President: The committee on Enrolled Bills, to which was referred a memorial, praying Congress to appoint a Board of Land Commissioners in this Territory, and a joint resolution, in relation to the election of a Public Printer on monday the 20th inst, have had them under consideration and find them correctly enrolled."

The report was adopted.

On motion of Hon. Apodaca, the House took a recess for ten minutes.

At the expiration of the ten minutes, the House was called to order. On motion of Hon. Torres, the business on the Speaker's Table was taken up,

The Council concurred in the House Memorial, relative to the pay of David V. Whiting, translator.

A joint resolution, from the Council, requesting His Excellency the Governor to transmit to this Assembly copies of certain Laws of the general congress, relative to Clerks and Courts of this Territory. Was read the first time and

On motion of Hon. Aragon of Rio Arriba, the rules were suspended and the Resolution read the 2nd. time.

On motion of Hon. Salazar, the rules were further suspended, the Resolution read the third time and passed.

The following communication was received from His Excellency the Governor:

EXECUTIVE DEPARTMENT
Santa Fé, December 17th 1858.

To the House of Representatives
of the Territory of New Mexico:

In reply to your resolution requesting me to inform you what amount in my opinion, would be necessary, to finish the repairs of the Old Palace, I would state that, in my opinion, \$2,500, in addition to the small balance on hand would be sufficient to finish the repairs in a satisfactory manner, unless Congress should determine to discontinue the New Capitol. In that case it would be necessary to approve very greatly both the House of Representatives and the Council Chamber, for the convenience of future Legislation. But the sum above indicated would be sufficient to make such repairs as are required to be done at the present time.

Very respectfully,

A. RENCHER.
Gov. N. Mexico.

The communication was read and adopted.

A committee was received from the Council, who requested the Speaker to sign the following entitled Memorials and Joint Resolution.

A Joint Resolution relative to the Surveyor General, W. Pelham and

A Memorial, praying the establishment of a Board of Commissioners to set upon claims for Indian depredations, and

A memorial, asking that the thefts committed by Indians be paid out of the annuities paid them by the Government of the United States, and

A Joint Resolution, relative to rooms to be occupied by the committees of both Houses of the Assembly.

Hon. Valdez, by leave offered the following resolution.

Resolved by the House of Representatives, "that the Secretary of the Territory be required to have 700 copies of His Excellency the Governor's special message relative to the state of the war with the Navajo Indians, together with the Joint Resolution printed, 200 copies in English and 500 in Spanish."

The resolution was adopted.

Hon. Hovey, by leave offered the following resolution

Resolved: That the special message from His Excellency the Governor, relative to the war with the Navajoes be sent to the Council for approval or information and

Be it further resolved, "that one of three members of this House be appointed by the House Speaker, thereof to present said communication to the Council."

The resolution was adopted and

The committee appointed was composed of

Messrs. Hovey, Torres and Salazar

The Bills on their third reading were declared in order.

A Joint Resolution relative to appointing a commission to revise the laws and make a list of such as require amendments was read the third time and passed.

On motion of Hon. Valdez, the Annual Message of His Excellency the Governor was read and

On further motion of Hon. Valdez, the Message was laid on the Table until Monday next.

On motion of Mr. Mares, the House adjourned until Monday the 20th inst. at 10 o'clock A. M.

DECEMBER, 13th 1858.

The House met pursuant to adjournment.

The roll was called and a majority being present the House proceeded to business.

The journal of Saturday was read and approved.

“The committee on Judiciary, to which was referred “an act to amend and reform the act concerning the powers and qualifications of justices of the peace and constables,” have had the same under consideration, and with an amendment thereto, report it back to the House and recommend it be printed, for which purpose offered the following resolution and recommend its passage.”

Resolved by the House of Representatives, that 50 copies of the above mentioned Act be printed for the use of this House.”

The report was rejected and

The act placed among the unfinished business.

Hon. Sanchez, introduced a Memorial, addressed to the Postmaster General, of the United States, praying him to allow the Taos Mail from Santa Fé, to pass by Cantonment Burgwin, Rio del Pueblo, Piñas, Chamisal and Rio Arriba.

The Memorial was read the first time.

On motion of Hon. Jaramillo, the rules were suspended and the Memorial read the first time and passed.

Hon. Valdez offered the following resolution]

Resolved, “that a committee composed of two members be appointed to wait upon the council and invite that body to the Representative Hall for the purpose of electing a Public Printer.”

The resolution was adopted, and

The committee appointed consisted of Messrs. Valdez and Lneras.

On motion of Mr. Valdez, the House took a recess for 10 minutes.

At the expiration of 10 minutes the House was called to order.

A committee from the Council appeared and informed the House that the council was ready to join the House in Joint Session, to elect a Public Printer.

The council was announced, and conducted to their seats.

In Joint Session, Mr. Connelly nominated Mr. Augustus DeMarle for Public Printer.

There being no other nomination made, both Houses then proceeded to the election, and the roll being called, Mr. Augustus De Marle, was declared unanimously elected Public Printer for one year.

On motion of Hon. Valdez, the thanks of the House were tendered to the Hon. Council for their attendance in the election of Public Printer.

Whereupon the Council retired to their chamber.

Hon. Luceras, moved that the House do now adjourn until to-morrow at 10, o'clock M. N.. Not agreed to.

On motion of Hon. Torres, the business on the Speakers table was taken up.

A Council joint resolution, relative to agreeing upon the hour for both Houses to met and adjourn. Was then read the first time, and

On motion the resolution was rejected.

Unfinished business was announced in order.

“An act entitled an act, to amend and reform a Law concerning the Powers and Qualifications of Justices of the Peace and Constables,” Was read the second time.

Hon. Valdez, moved the act be referred to the Committee of the

Hon. House, and called for the Ayes and noes. When it was decided in the negative. Ayes 5. Noes 19.

So the act was not referred.

Hon. Valdez, moved the House do now adjourn until to-morrow at 10½ o'clock A. M. Not agreed to.

On motion of Hon. Herrera of San Miguel, the act was rejected.

On motion of Hon. Herrera of San Miguel, the House adjourned until to-morrow at 10½ o'clock A. M.

TUESDAY DECEMBER, 21th 1858.

The House met pursuant to adjournment.

The roll was called and a majority being present, the House proceeded to business.

The journal of the day previous was read and approved.

Hon. Hovey, by leave, made the following report:

"The special committee, which was appointed to present to the Council the communication of His Excellency the Governor, relative to the Navajo war, have complied with their duty."

O. P. Hovey, Pedro Valdez and Miguel Salazar committee.

The report was adopted.

The reports of the Auditor and Treasurer of the Territory, were returned to the House by the translator, and was read, and

On motion of Hon. Hovey, were referred to a committee composed of one member from each County.

The committee appointed, consisted of Messrs: Hovey, Valdez, Herrera, Apodaca, Luera, Lucero and Aragon of Rio Arriba.

Hon. Hovey, from the committee on Enrolled Bills, made the following report:

"The committee, had correctly enrolled a memorial relative to the relief of D. V. Whiting."

The report was adopted.

Hon. Hovey, by leave offered the following resolution:

Resolved by the House of Representatives: "That the Legislative Council, be very respectfully requested to transmit to this House, the report of the Hon. Secretary of the Territory, if received by that body relative to the Committee rooms for the use of the Legislative Assembly."

The resolution was adopted.

Hon. Hovey, by leave, introduced a joint resolution, asking information of His Excellency the Governor, relative to the estimates sent to the Honorable Secretary of the Treasurer, in Washington, for the completing the repairs on the Palace, which was read the first time.

On motion of Hon. Sanc' it was read the 2nd time.

When, on motion of Hon. Valdez, the rules were suspended and the resolution read the third time and passed.

On motion of Hon. Hovey, the House proceeded to the business on the Speakers table.

A Council joint resolution, protesting in the most solemn manner against any treaty of peace or armistice being made with the Navajo Indians. Was read the first time.

On motion of Hon. Herrera, the rules were suspended, and the resolution read the second time.

On motion of Hon. Lueras, the rules were further suspended, the resolution read the third time and passed.

A communication from the Council was received stating that Messrs Henry Coanally, Miguel Sena y Romero and Nasario Gonzales, are appointed a committee on the part of the Council, to revise the laws, and to lay before the Assembly, a list of all that require amendments or modifications. Which read and was adopted.

A communication was received from the Council requesting this House to transmit the reports of the Auditor and Treasurer of the Territory, was read and adopted, and

On motion of Hon. Hovey, the Chief Clerk was instructed to inform the Council, that said reports were referred to a committee.

On motion of Hon. Hovey, the House adjourned until to-morrow (Wednesday) at 10½ o'clock A. M.

WEDNESDAY, DECEMBER, 22th 1858.

The House met pursuant to adjournment.

The roll was called and there being a majority present, the House proceeded to business.

The journal of the previous day was read and approved.

Hon. Hovey, made the following report :

"The special committee of one member from each County, to which was referred the reports of the Auditor and Treasurer of the Territory, for their examination, have complied with their instructions and find the said reports correct, and ask their adoption."

The report was adopted.

Hon. Hovey, by leave, offered the following resolution :

Resolved : by the House of Representatives : "That the Chief Clerk of this House be directed to transmit to the Council, the reports of the Treasurer and Auditor of Public accounts of the Territory."

The resolution was adopted;

Hon. Aragon of Rio Arriba offered the following resolution :

Resolved: "That the committee on judiciary be respectfully requested to report on all Bills that have been referred to the committee as soon as possible."

The resolution was adopted.

Hon. Cordova, presented a communication from the Judge of Probate of Rio Arriba Count, notifying the Legislative Assembly of the Indian depredations during the past year in that County. Which was read and

On motion of Hon. Herrera of San Miguel, was taken up out of order, and placed together with similar ones received from other Judges of Probate on the same subject.

On motion of Hon. Herrera of San Miguel, the House took a recess for ten minutes.

At the expiration of 10 minutes the House was called to order.

Hon. Valdez made the following report.

"The committee on Judiciary, to which was referred a Bill entitled 'an act, amending the Law relative to branding animals,' approved July 20th 1851, have had the same under consideration and finding the same imperfectly drawn up, and does not amend the law referred to therein, but to the contrary makes more defective, therefore we recommend it be rejected."

The vote being taken, the Speaker decided that the report was adopted.

Mr. Herrera called for the Ayes and Noes.

The Speaker decided the motion out of order.

So the report was adopted and the act rejected.

The Speaker called Hon. Herrera to order for taking off his coat during the session of the House, that such conduct was disrespectful and indecorous towards the members of the House, and Hon. Herrera, being required to put on his coat by the Speaker, Hon. Herrera attempted to apologise to the House, saying that there was no rule directing the manner in which a member should dress.

The Speaker insisted that Hon. Herrera was out of order, and that his conduct was indecorous and submitted the question to the House, what steps the House should taken in such cases.

When on motion of Hon. Aragon of Rio Arriba, Hon. Herrera of San Miguel, was excused in consequence of his ignorance of the rules.

A committee from the council appeared and requested the signature of the Speaker to certain act which originated in that body.

The Speaker announced to the House that he had signed the same, to wit.

"A joint resolution, relative to the appointing of a committee to revise the laws and make a list of such as require amendments" and

"A joint resolution, requesting His Excellency the Governor to furnish the assembly with copies of certain laws of Congress, concerning Clerks of the Legislature and the Courts in the different Counties."

On motion of Hon. Herrera of San Miguel, the House proceeded to the business on the Speaker's Table.

A Joint Resolution, requesting information relative to the estimates sent to Washington for the completion of the repairs on the Palace, which originated in the House, was concurred in by the council.

A Council Joint Resolution, authorizing the publication of one thousand copies of His Excellency the Governor's special message, relative to the Navajo war, and one thousand copies of the Joint Resolution passed by this Assembly relative to the same subject, was read the first time.

On motion of Hon. Sanchez, the rules were suspended, and the resolution read the second time.

On motion of Hon. Tueras, the rules were further suspended the resolution read the third time and passed.

On motion of Hon. Sanchez, the House adjourned until to-morrow (Thursday) at 10½ o'clock A. M.

DECEMBER, 23th 1858.

The House met pursuant to adjournment.

The roll was called and a majority being present, the House proceeded to business.

The journal of yesterday was read and approved.

On motion of Hon. Torres, the resolution introduced on yesterday relative to candles, was taken up, which was read, and

On motion of Hon. Torres, the resolution was laid on the table indefinitely, and the Chief Clerk ordered to strike out of the journal every thing concerning said resolution.

On motion of Hon. Valdez, the House then proceeded to take up the message of His Excellency the Governor, Which after being duly considered was adopted.

Hon. Hovey, made the following report :

"The committee on Enrolled Bills, have examined a memorial addressed to the Hon. A. V. Brown Post Master General of the United States, and find it correctly enrolled."

The report was adopted.

Hon. Hovey, by leave, made the following report :

"The committee on Territorial Affairs, to which was referred, a memorial relative to Public Building, have the honor to inform this Hon. House that the committee have drawn up a substitute for said memorial, which they report to this House and recommend its passage."

The report was adopted.

The memorial, asking for an appropriation of \$70,000 for the completion of the Capitol and \$32,400 to complete the Penitentiary, was read the 2nd. time,

On motion of Hon. Valdez, the rules were suspended the memorial read the third time and passed.

A committee from the Council appeared and requested the signature of the Speaker to certain Council acts.

The Speaker, inform the House that he had signed acts, to wit:

A joint resolution, providing for the publication the special message of His Excellency and a resolution of the Legislative Assembly, and

A preamble and joint resolution, in which this Assembly, protects against Peace being made with the Nayaños.

On motion of Hon. Valdez, the House took a recess for ten minutes.

At the expiration of ten minutes, the House was called to order.

Hon. Apodaca, introduced "an act repealing an act granting jurisdiction to Probate Judges in criminal cases and for other purposes, approved January 23rd, 1858." Which was read the first time.

On motion of Hon. Torres, the rules were suspended and the act read the second time.

On motion of Hon. Valdez, the act was referred to the committee on Territorial Affairs.

On further motion of Hon. Valdez the business on the Speaker's Table was taken up.

The House memorial praying an appropriation to complete the Capitol and Penitentiary in this Territory received the concurrence of the Council.

On motion of Mr. Valdez, the House adjourned until to-morrow (Friday) at 9 o'clock A. M.

DECEMBER, 24th 1858.

The House met pursuant to adjournment, the roll being called and a majority present, the House proceeded to business.

Mr. Valdez, by leave introduced a Memorial addressed to the Hon. A. V. Brown, Post Master General of the United States, asking for a semi-monthly mail from San Antonio of the Conejos, to the New Placer; which was read the first time.

On motion of Mr. Torres, the rules were suspended and the Memorial read the second time.

On motion of Hon. Jaramillo, the rules were further suspended, the Memorial read the third time and passed.

On motion of Hon. Valdez, the House took a recess for half an hour.

At the expiration of a half an hour the House was called to order.

The Speaker in pursuance to a Joint Resolution relative to appointing a committee to revise the laws and report a list of such as require amendments and modifications, appointed the following: Messrs. O. P. Hovey, Pedro Valdez and José Vigil.

On motion of Mr. Valdez, the business on the Speaker's Table was taken up.

The following communication from his Excellency the Governor was then read

Executive Department,
Santa Fé, Dec. 23th, 1858.

To the Members of the House of Representatives
of the Territory of New Mexico :

GENTLEMEN :

The Governor's House will be open at 12 o'clock A. M. on Christmasday to such persons as may be pleased to invite him, the Governor will be pleased to see on that occasion, the members and officers of the House of Representatives.

A. RENCHER, Governor.

The communication, on motion of Hon. Valdez was adopted.

The Council concurred in the passage of a Memorial addressed to the Postmaster General, of the United States, praying the establishment of a Mail from the Conejos to the New Placer on Cherry Creek.

A Committee from the Council appeared and requested the signature of the Speaker to a Memorial which originated in the Council.

The Speaker, announced to the House, that he had signed a Council Memorial, concerning an appropriation for roads in this Territory.

Whereupon on motion of Hon. Lopez the House adjourned until Monday, 27th inst. at 3 o'clock P. M.

DECEMBER, 27th 1858.

The House met pursuant to adjournment.

The roll was called and a majority being present the House proceeded to business.

The journal of yesterday, was read and approved.

Hon. Aragon of Rio Arriba, introduced "An act creating two additional precincts in Rio Arriba County" which was read the first time.

Hon. Valdez moved, the act be laid on the Table indefinitely, and called for the Ayes and Noes, when it was decided in the Negative. Ayes 7, Noes 13.

So the motion, to lay on the Table was rejected.

Hon. Aragon moved the rules be suspended and the act read the 2nd time, and the ayes and noes being called, the motion was decided in the Affirmative.

Ayes 14, Noes 6.

So the rules were suspended and the act was read the second time.

Hon. Jaramillo, moved the rules be further suspended in order the Act be read the third time, and the ayes and noes being called, when

Bills on their third reading were announced in order:

"An act creating an additional precinct in Rio Arriba County." was read the third time, and

Hon. Hovey, of Santa Fé, moved the act be laid on the table indefinitely.

Hon. Valdez, called for the ayes and noes, when the motion was decided in the affirmative.

Ayes 13, noes 10.

So the act was laid on the Table indefinitely.

Hon. Valdez, in the chair.

Hon. Gallegos, introduced an act to be intitled "an act, amendatory of an act, relative to revenue, approved, February 1st 1858." Which was read the first time, and

On motion of Hon. Lucero, the rules were suspended and the act read the second time.

On motion of Hon. Aragon of Rio Arriba, the act was referred to a committee composed of one member from each County.

The committee appointed consisted of

Messrs: Aragon of Rio Arriba, Valdez, Herrera of San Miguel, Romero of Santa Fé, Lucero, Gonzales, Lopez and Torres.

Hon. Hovey, made the following report;

"The committee on Enrolled Bills, to which was referred a memorial to the Congress of the United States and a memorial to the Hon. A. V. Brown, Post Master General of the U. S., the first asking for an appropriation to complete the Public Buildings and 2nd. relative to a mail line from Santa Fé to Pikes Peak and Cherry Creek, have been revised by the committee and found correctly enrolled."

The report was adopted.

On motion of Hon. Valdez the vote taken yesterday on the passage of "an act relative to appointing a commission to revise the Laws," was reconsidered.

The act being read, Hon. Valdez, offered the following amendment.

In Sec. 2nd after the words "the Legislative Assembly," insert "and not otherwise."

Which Amendment was adopted, and the act as amended passed.

On motion of Hon. Aragon of Rio Arriba, the House took a recess for ten minutes.

At the expiration of ten minutes, the House was called to order.

On motion of Hon. Sanchez, the business on the Speakers table was taken up.

A Council joint resolution, calling the attention of our Delegate in Congress, to the memorial passed at the last session asking for an appropriation for school purposes," was read the first time.

On motion of Hon. Romero of Santa Fé, the rules were suspended and the resolution read the 2nd time.

On motion of Hon. Herrera of San Miguel, the rules were further suspended, the resolution read the third time and passed.

On motion of Hon. Aragon of Rio Arriba, the House adjourned until to-morrow (Wednesday) at 10 o'clock A. M.

DECEMBER, 29th 1858.

The House met pursuant to adjournment.

The roll was called and there being a majority present, the House proceeded to business.

The journal of the previous day was read and approved.

Hon. Valdez, by leave, offered the following resolution :

Resolved : "That standing and select committees of this House to which have been referred any acts, resolutions or memorials or any other Legislative document, for the purpose of amendment, correction or copying be required to report thereon as soon as possible or within three days,"

The resolution was adopted.

Hon. Herrera moved a reconsideration of the vote on the passage of the above resolution, and the motion being carried.

Hon. Herrera offered the following amendment, after the words, "as soon as possible," insert "not more than four days at furthest."

The amendment was adopted and the resolution as amended passed.

On motion of Hon. Valdez, the House took a recess for 10 minutes.

At the expiration of the ten minutes the House was called to order.

Hon. Aragon of Rio Arriba, made the following report :

"The special committee to which was referred a Bill entitled, "An act, amending the revenue law," have the honor to return the same to the House with an amendment, that, after the words, "New Mexico" and in the fifth line, striking out the first section of said act entirely, and recommend the passage of said act, as amended.

The report was adopted, and

The act ordered to be engrossed.

Hon. Marez, introduced "an act, relative to Indian depredations," which was read the first time.

On motion of Hon. Sanchez, the rules were suspended, and the act read the second time.

On motion of Hon. Sanchez, the act was referred to the committee on Public Property.

Hon. Valdez, moved the House do now adjourn until to-morrow at 11 o'clock A. M.

Hon. Sanchez, called for the ayes and noes.

Ayes 18, noes 4.

So the House adjourned, until to-morrow at 11 o'clock A. M.

DECEMBER, 30th 1858.

The House met pursuant to adjournment.

The roll was called and a majority being present, the House proceeded to business.

The journal of yesterday was read and approved.

Hon Martinez, by leave of the House, introduced "an act relative to orchards and vineyards." Which was read the first time and passed to its second reading under the rules.

Hon. Valdez, by leave, introduced the following Preamble and joint resolution.

"Whereas this House, has been informed by the Hon. Secretary of the Territory, that Messrs Francisco Perea, Damasio Chavez and Ignacio Gonzales are the representatives of Bernalillo County, according to the original returns of the election held on the 1st Monday of September 1858." Therefore.

Be it resolved by the House of Representatives, "That Messrs: José Lueras and Miguel Gonzales, are not legally elected representatives for the County of Bernalillo, and therefore, their seats are hereby declared vacant."

Be it further resolved : That Messrs: Francisco Perea, Damacio Chavez and Ignacio Gonzales, are legally elected and entitled to their seats as representatives in this House."

The resolution was adopted.

Hon. Valdez, offered the following resolution :

Resolved : That the Speaker of the House order the Sergeant at-arms to require Messrs. Francisco Perea, Damacio Chavez and Ignacio Gonzales, to appear and take their seats as representatives for the County of Bernalillo, or to shaw good cause for not doing so."

The resolution was adopted.

Hon. Valdez, introduced a preamble and joint resolution relative to ordering the Sergeant-at-arms, to bring before this Assembly, the judge of Probate and Clerk of the County of Bernalillo, which was read the first time.

So the act passed to its third reading under the rules.

The House then proceeded to the business on the Speakers Table.

A Council Act authorizing the Governor to appoint a commission to revise the Laws, was read the first time, and

On motion of Hon. Herrera of San Miguel, the rules were suspended, and the act read the second time

On further motion of Mr. Herrera of San Miguel, the rules were again suspended, the act read the third time and passed.

On motion of Hon. Jaramilla, the House adjourned until to-morrow, Tuesday, at 10 o'clock A. M.

DECEMBER, 13th 1858.

The House met pursuant to adjournment.

The roll was called and a majority being present the House proceeded to business.

The journal of Monday was read and approved.

On motion of Mr. Herrera of San Miguel, the rules were suspended and the resolution was read the second time.

When, on motion of Hon. Torres the rules were further suspended, the Resolution was read the third time and passed.

Hon. Sanchez, by leave made the following report

"The standing committee on Public Property to which was referred "An act relative to Indian Depredations," have had the same under consideration and have the honor to report it back to the House with an amendment and recommend its passage, as amended."

The report was adopted, and the act ordered to be engrossed.

"An act amendatory of the Revenue Law approved February 1st. 1858," was read the 2nd time.

On motion of Hon. Valdez, the rules were suspended, the act read the third time and passed.

The business on the Speaker's Table was then taken up.

A Council Act, "creating an additional precinct in Valencia County," was read the first time.

On motion of Hon. Romero of Santa Fe, the rules were suspended, and the act read the second time.

On motion of Hon. Jaramillo, the rules were further suspended, the act read the third time and passed.

On motion of Hon. Hovey, the House took a recess for 15 minutes.

At the expiration of 15 minutes the House was called to order.

On motion of Mr. Valdez the "act relative to Trees," was taken up out of order and read the second time.

On motion of Hon. Herrera of San Miguel, the act was referred to the committee of Agriculture.

The Sergeant-at-Arms, conducted Hon. Francisco Perea, into the House, who was offered a seat therein.

On motion of Hon. Herrera from San Miguel, the Chief Clerk was ordered to apply to the Hon. Secretary of the Territory, for a certificate of the election of the Hon. F. Perea.

On motion of Mr. Valdez, Mr. Perea's credential was read and declared to be in due form.

On motion of Hon. Valdez, a committee of two was appointed to wait upon the Hon. Kirby Benedict, Chief Justice of New Mexico, and request him to visit the Hall for the purpose of administering the oath to the Hon. Francisco Perea.

Messrs. Valdez and Torres composed the committee.

Hon. Hovey offered by leave the following resolution :

Be it resolved by the House of Representatives, "That no person or persons shall be permitted to enter or communicate with any member of this House, in the Hall of Representatives, during the session thereof, except members of the Council or Messengers from His Excellency, the Governor, or persons specially invited by said House. That the Door-Keeper, of this House be instructed and directed by the Speaker, not to allow or permit any person or persons, excluded in the first part of this resolution to enter within the Bar of the House during the time of Session."

The resolution was adopted.

Hon. Valdez from the committee appointed to invite the Hon. Chief Justice, to administer the oath to Hon. Perea, reported that he had not been able to find the Hon. Judge.

When on motion of Hon. Herrera from San Miguel the Speaker appointed Messrs Herrera of San Miguel and Hovey, as a committee to request the clerk of the District Court to administer the oath to Mr. Perea.

The committee after a short absence returned in Company with Mr. A. De Marle, Clerk of the Supreme Court, who appeared and was invited to be seated.

The Speaker then requested Hon. Perea to come forward and be sworn, who refused to take the oath.

Hon. Valdez moved that Hon. Perea be required to state in writing his reasons for refusing to take his seat in this House as member from the County of Bernalillo. Agreed to.

Mr. Valdez moved to adjourn until to-morrow at 3 o'clock P. M.
Not agreed to.

On motion of Hon. Hovey, the House adjourned until to-morrow at 11 o'clock A. M.

DECEMBER, 31th 1858.

The House met pursuant to adjournment.

The roll was called and a majority being present, the House proceeded to business.

The journal of the day previous was read and approved.

The following communication, was received from the Hon. Francisco Perea, to wit:

"SANTA FÉ, NEW MÉXICO

"December 31th 1858.

"To the Hon. José Guadalupe Gallegos,

"Speaker of the House of Representatives:

SIR:

"To the resolution of the House, asking me to give my reasons for declining to take a seat in that Hon. House, as a member from the county of Bernalillo, I have the honor to respond: In the first place, I never consented to my name being placed before the people as a candidate for the office to which I was elected and secondly, I would inform the House, that the health of my family, makes my presence absolutely indispensable. I was not aware that it was my duty to resign after I had been elected, or I would have done so, in order to give the people of my county an opportunity to elect another in my place."

"With assurances to the Hon. House, that I would be very happy to accompany them in providing for the good of our common country, if the matters above mentioned would permit me."

I am, Mr. Speaker with much respect

Your Obed. Servant,

FRANCISCO PEREA.

The communication was adopted.

On motion of Hon. Valdez, Hon. Francisco Perea was excused from attending on the House during the present session.

On motion of Mr. Valdez, the order given to the Sergeant-at-Arms for the arrest of Messrs. Ignacio Gonzales and Damacio Chavez, was withdrawn.

Hon. Romero of Taos, made the following report

"The standing Committee on Agriculture and Manufactures, to which was referred "An act relative to Orchards and Vineyards," have had the same under consideration, report the same back to the House with an amendment and recommend its passage."

The report was adopted.

Hon. Herrera from San Miguel, introduced "An act to increase the revenue without taxing the people." Which was read the first time.

Hon. Vigil in the chair.

On motion of Hon. Gallegos, the rules were suspended and the act read the second time.

Hon. Gallegos offered to amend as follows: after the word "shall apply" insert "one hundred lashes," and instead of the words, "out of the Legislative funds, paid out of the Congress of the United States," insert, "shall be paid out of the estate or farm of one Manuel de Herrera of San Miguel, Territory of New Mexico."

Which amendments were adopted.

Hon. Valdez offered the following amendment

Strike out of the act, introduced by Mr. Herrera of San Miguel all from "section first to section seventh and the balance remain."

The amendment was adopted and

On motion of Hon. Hovey, the act was considered as engrossed and read the third time, and

On motion of Hon. Valdez, the act was rejected.

Hon. Hovey, introduced a Joint Resolution, addressed to Hon. Miguel A. Otero; to use his efforts in procuring an appropriation by Congress to pay the Brigades organized under the order of Mr. S. Messervy, acting Governor, which was read the first time.

On motion of Mr. Valdez, the rules were suspended and the act read the second time.

On further motion of Hon. Valdez, the rules were again suspended, the Resolution read the third time and passed.

Hon. Valdez introduced "an act relative to estrays's.

Which was read the first time.

On motion of Hon. Herrera, the rules were suspended and the act read the second time and

On motion of Hon. Herrera from San Miguel, the act was referred to a special committee of one member from each county.

The committee appointed was composed of

Messrs. Herrera from San Miguel, Valdez, Hovey, Lucero, Cordova, Lopez and Apodaca.

On motion of Hon. Herrera from San Miguel, the House adjourned until Monday, January 3rd 1859 at 11 o'clock A. M.

JANUARY, 3rd 1859.

The House met pursuant to adjournment.

The roll was called and a majority being present, the House proceeded to business.

The journal of December 31 1858, was read and approved.

Hon. Valdez, made the following report :

The standing committee on Engrossed Bills, to which was referred, "An act relative to Indians Depredations," and

"An act relative to orchards and vineyards,"

Have had them under consideration and find the same correctly engrossed.

The report was adopted.

Hon. Sanchez, introduced, an act repealing "an act prohibiting merchants from keeping thier stores open and selling on Sundays" which was read the first time.

On motion of Hon. Valdez, the rules were suspended and act read the same time.

On motion of Hon. Mares, the rules were further suspended, the act read the third time and passed.

Hon. Valdez, introduced, an act authorizing the Probate Judge of Taos County, to hold court in Mora," which was read the first time.

On motion of Hon. Hovey, the rules were suspended and the act read the second time.

When, on further motion of Hon. Hovey, the act was referred to the committee on Judiciary.

On motion of Hon. Hovey, the House took a recess for 15 minutes.

At the expiration of the 15 minutes, the House was called to order.

Bills on the third reading was declared in order.

"An act, relative to Indian Depredations," was read the third time and passed.

"An act, relative to orchards and vineyards," was read the third time and passed.

On motion of Hon. Valdez, the House then proceeded to take up reports of the several Probate Judges relative to Indian Depredations which on further motion of Hon. Valdez, were referred to the committee on Indians Affairs.

A committee appeared from the Council and requested the signature of the Speaker to certain acts, which had passed both House.

The Speaker announced that he had signed :

"An act creating an additional Precinct in Valencia County."

"An act concerning a revision of the Laws." and

"A memorial asking Congress, to pass an appropriation of \$500,000 for school purposes in this Territory.

Whereupon on motion of Hon. Herrera from Santa Fé, the House adjourned until to-morrow (Tuesday) at 10 o'clock A. M.

JANUARY 4th, 1899.

The House met pursuant to adjournment.

The roll was called and a majority being present, the House proceeded to business.

The journal of yesterday was read and approved.

On motion of Hon. Torres, the business on the Speaker's table was taken up.

A communication was received from S. B. Watrous addressed to the members of the Territorial Legislature was read.

Hon. Sanchez in the chair.

On motion of Hon. Gallegos, the communication was adopted, and

On motion of Hon. Gallegos, the communication was ordered to be published in the Santa Fé Gazette, and that fifty copies of the same be printed for the use of this Assembly.

Hon. Aragon, of San Miguel, made the following report :

The committee on Indian Affairs, to which was referred, the reports

of the different Probate Judges, in relation to Indian depredations, have them under consideration, and recommend that a joint committee be appointed, in order that the said committee take action thereon, for the purpose of recommending such measures as the importance of the case require, and the committee recommend the adoption of this report."

The report was adopted.

The committee on part of the House, was composed of Messrs : Aragon of San Miguel, Lucero and Valdez.

On motion of Hon. Herrera of San Miguel, the House took a recess for 15, minutes.

At the expiration of 15, minutes, the House was called to order.

Hon. Sanchez, introduced, "an act regulating the punishment of disorderly persons." Which was read the first time, and

On motion of Hon. Torres, the rules were suspended and the act read the second time, and

On motion of Hon. Gallegos, the act was referred to the committee on judiciary.

Hon. Valdez, introduced an act, to be entitled "an act relative to the revenue of the Territory and County and to the prohibition of Gaming," which was read the first time, and

On motion of Hon. Apodaca, the rules were suspended, and the act read the second time.

On motion of Hon. Herrera, the act was referred to the committee on Territorial Affairs.

On motion of Hon. Hovey, the Speaker appointed Mr. Salazar, on the committee on Territorial Affairs, in place of Hon. Lueras.

On motion of Hon. Sanchez, the House proceeded to take up the business on the Speaker's table.

"A Council act requiring the District Courts to be held in the different Couns," which was read the first time.

On motion of Hon. Valdez, the act was read the second time, the rules being suspended for the purpose.

On further motion of Hon. Valdez, the act was referred to the committee on Judiciary.

A council, "act relative to damages done in fields by loose animals," was read the first time.

Hon. Herrera of San Miguel, moved the act be rejected.

Hon. Valdez, called for the Ayes and Noes, when it was decided in the affirmative Ayes 18. Noes 3.

So the act was rejected.

A Council, Act relative to Escheats," was read the first time, and passed to its second reading according to the rules.

A House memorial addressed to the Hon. M. A. Otero, directing him to use all efforts in procuring an appropriation to pay the Volunteer Brigades called into service by Wm. S. Messervy, acting Governor was concurred in by the Council.

On motion of Hon. Hovey, the House took a recess for 15 minutes.

At the expiration of the 15 minutes, the House was called to order.

Hon. Herrera of San Miguel, made the following report :

"The special committee, to which was referred, "an act relative to estrays," have had the same under consideration, and having revised it

carefully report the same back to the House with two amendments, and submit them to the consideration of the House."

The report was adopted.

On motion of Hon. Valdez, the act was ordered to be engrossed.

The committee on Judiciary to which was referred "an act, to punish disorderly persons," have had the same under consideration, and with an amendment, at the end of the fourth section as follows, "or of the County," report it back to the House and recommend the passage of the act as amended."

The report was adopted.

On motion of Hon. Valdez, the rules were suspended the act read the third time and passed.

Mr. Hovey, by leave made the following report :

"The standing committee on Territorial Affairs, to which was referred, a Bill, repealing "an act granting jurisdiction to the Probate Court in Criminal cases and for other purposes," have had it under consideration, and report it back to the House without amendment and recommend its passage."

The report was adopted.

On motion of Hon. Hovey, the rules were suspended, the act read the third time and passed.

Hon. Valdez, by leave, made the following report.

"The standing committee on Judiciary to which was referred "an act relative to the District Courts," have had the same under consideration, and report the same back to the House without amendments and recommend its passage."

The report was adopted, and

On motion of Hon. Valdez, the rules were suspended, the act read the third time and passed.

On motion of Hon. Valdez, the House adjourned until to-morrow (Wednesday) at 11 o'clock A. M.

JANUARY, 5th. 1859.

The House met pursuant to adjournment.

The roll was called and there being a majority present, the House proceeded to business.

The journal of the previous day was read and approved.

Hon. Valdez, by leave, offered the following report:

"Mr. Speaker, the standing committee on judiciary to which was referred, "an act authorizing the Probate Judge of Taos County to hold Court in Mora," have had the same under consideration, report it back to the House without amendment and recommend its passage."

The report was adopted, and the act read the third time and passed. Hon. Mares, introduced a Bill entitled "an act creating two additional Precincts in the County of Taos," Which was read the first time, and

Hon. Herrera of San Miguel moved, the act be referred to a special committee. Not agreed to.

On motion of Hon. Hovey, the act was referred to the committee on County Boundaries.

Bills on the second reading was announced in order.

"An act relative to Escheats," was read the second time.

Hon. Aragon of Rio Arriba, moved, the act be referred to a special committee composed of one member from each County, and that the committee be chosen by ballot. When the following committee was duly chosen to-wit :

Hon. Aragon of San Miguel	13
" Cordova " Rio Arriba	11
" Herrera " Santa Fé	10
" Lucero " Santa Ana	19
" Sanchez " Taos	14
" Torres " Socorro	16
" Vigil " Valencia	19

The motion was adopted, and the above committee appointed.

Hon. Torres, moved the rules be suspended, in order to take up the business on the Speaker's table. Agreed to.

From the Speaker's Table.

The Council concurred in the passage of the House Bill entitled "an act relative to orchards."

"A communication was received from the Council, announcing that Messrs : Sena y Romero, Jesus Maria Baca and Geronimo Jaramillo, had been appointed a committee on the part of the Council to examine the reports of the different Probate Judges, relative to Indians Depredations.

Hon. Valdez, by leave, offered the following resolution :

"Resolved by the House of Representatives : That the standing and select committees of this House, to which may be referred during the present session any Bill, joint resolution, memorial etc. in their report thereon recommending the same to be rejected, shall states the reasons therefore in writing."

The resolution was adopted.

Hon. Valdez, offered the following resolution :

Resolved by the House of Representatives, of the Legislative Assembly of the Territory of New Mexico : "The in the standing committees of this House, in which Messrs : Luera and Gonzales were members, whose seats are now vacant in this body, that their names be stricken out; and others appointed in their place."

The resolution was adopted, and

Messrs : Sanchez of Taos and Vigil of Valencia, were appointed on the committees in place of Messrs : Luera and Gonzales which resigned.

Hon. Valdez, moved the House do now adjourn until to-morrow at 10 o'clock A. M. Not agreed to.

Hon. Vigil, moved the House adjourn until Friday the 7th instant at 10 o'clock A. M. Agreed to.

So the House adjourned:

JANUARY, 7th 1859.

The House met pursuant to adjournment.

The roll was called and a majority being present, the House proceeded to business.

The Journal of Wednesday was read and approved.

Hon. Hovey, by leave, made the following report

"The standing committee on 'Territorial Affairs,' to which was referred a Bill to be entitled 'An act relative to Territorial and County Revenue and concerning the prohibition of Gaming, have the honor to report that the committee have had the Bill under consideration and recommend its passage'"

The report was adopted and

The act passed to its third reading under the rules.

Mr. Valdez by leave, introduced

"An act to provide forms for Judicial Proceedings," which was read the first time, and

On motion of Hon. Sanchez, the rules were suspended and the act read the second time, and

On motion of Hon. Torres, the act was referred to the committee on Judiciary.

Hon. Herrera of San Miguel in the Chair.

Hon. Gallegos, by leave, introduced the following resolution

"Whereas, Mr. Jesus Maria Sena y Baca is very sick and unable to attend to his duties as Chief Clerk of the House during to-days Session." Therefore

Be it resolved by the House of Representatives of the Territory of New Mexico: "That Mr. Luis Felsenthal, Interpreter of the House, shall discharge the duties of Chief Clerk during to-days session."

Be it further resolved: "That the Chief Clerk be excused from attendance of the House for to-day for the reasons above set forth."

The resolution was adopted.

On motion of Hon. Valdez, the House took a recess for ten minutes.

At the expiration of ten minutes the House was called to order.

Hon. Valdez made the following report

"The committee on Judiciary, to which was referred 'An act to provide for drawing up Forms,' have the act under consideration, re-

port the same back to the House with amendments and recommend its passage."

The report was adopted and

The act ordered to be engrossed.

Hon. Vigil from Valencia made the following report: .

"The standing committee on "Bounty Boundaries," to which was referred "an act creating two additional precincts in the County of Taos," have had the act under consideration, and report the same back to the House and recommend its passage."

The report was adopted, and the act passed to its third reading.

On motion of Hon. Valdez, the business on the Speaker's Table was taken up.

A communication was received from the Council enclosing a copy of the Treaty of Peace made by the Superintendent of Indian Affairs and Military Commandant with the Navajoes, also a copy of the committee on Territorial Affairs.

The Treaty of Peace was read on motion of Hon. Valdez, and laid on the Table for one day.

A Council Joint Resolution, authorizing the publication of 500 copies of the Treaty of Peace, 200 in English and 300 in Spanish, was then read.

Hon. Sanchez in the chair:

On motion of Hon. Gallegos, the resolution was laid on the Table.

The Council concurred in the passage of a House Bill, "Relative to Indian depredations."

The council concurred in the passage of the House Bill, "authorizing the Probate Judge of Taos county to hold court in Mora," with the following amendments

In section first, line third, strike out "three courts," and insert "two courts."

In section fourth, strike out "two dollars per diem," and insert "one dollar."

The amendments were adopted.

Hon. Valdez by leave, introduced "An act, amendatory of the Election Law," which was read the first time, and

On motion of Hon. Sanchez, the act was referred to the Committee on Privileges and Elections."

Hon. Hovey, introduced a Joint Resolution, asking information of the Hon. A. M. Jackson, Secretary of the Territory, whether the Prefect of Dona Ana County had sent election returns, or if he had complied with the law—which was read the first time.

On motion of Hon. Sanchez, the rules were suspended and the resolution read the second time; and

On motion of Hon. Valdez, the rules were further suspended, the resolution read the third time and passed.

On motion of Hon. Sanchez, the House adjourned until to-morrow at 11 o'clock A. M.

JANUARY, 8th 1889.

The House met pursuant to adjournment.

The roll was called and a majority being present the House proceeded to business.

The journal of Monday was read and approved.

Hon. Cordova asked a leave of absence, to visit his family, stating that a member of his family was sick and required his attention, which was granted him for six days.

Hon. Lucero, from a select committee made the following report :

"Mr. Speaker, the committee appointed to examine "an act, relative to escheats," have the honor to inform this Hon. House that the committee has had the act under consideration and recommend the passage thereof with the following amendments:"

In all parts of the act where the words "Circuit Court," insert instead thereof "Probate Court."

Strike out "Clerk of the District Court," and insert, "Clerk of the Probate Court."

"The reason the committee have for making these amendments, is that we have laws in force which confers jurisdiction on the Probate Court, in such cases, and it is not proper to change this order, and the committee further recommend the passage of said act, as amended."

The report was adopted.

The rules being suspended the act was read the third time and passed.

Hon. Herrera of Santa Fé, introduced a Bill, entitled :

"An act, establishing the boundaries between precincts N. ° 1 and 9 of the County of Santa Fé."

The Bill was read the first time.

On motion of Hon. Benavides, the rules were suspended and the Bill read the second time.

Hon. Aragon, moved the Bill be referred to the committee on "County Boundaries." Not agreed to.

On motion of Hon. Romero of Santa Fé, the rules were suspended, the Bill read the third time and passed.

Bills on the third reading.

"An act, creating two additional precincts in the County of Taos," was read the third time and passed.

A Bill to be entitled :

"An act relative to Territorial and County Revenue and Prohibiting Gaming," was read the third time and passed.

"An act, to provide for drawing up Forms," was read the third time and passed.

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A communication was received from the Hon. A. M. Jackson, Secretary of the Territory, informing this House that no returns had been received of the election in the County of Doña Ana, which should have been holden on the 6th of September 1858.

On motion of Hon. Hovey the communication was referred to a special committee.

The committee was composed of

Messrs: Hovey, Vigil of Taos and Vigil of Valencia.

Hon. Hovey, from the committee on Enrolled Bills made the following report:

"The standing committee on Enrolled Bills to which was referred a joint resolution to Hon. Miguel A. Otero, Delegate in Congress relative to the memorial passed by the last Legislative Assembly, asking for an appropriation to pay the Volunteers under Major Ramon Luna in the years 1850—51, and also a joint resolution addressed to His Excellency the Governor requesting a statement of the estimates made to complete the repairs on the Palace, also "an act relative to orchards and vineyards," have been found correctly enrolled."

The report was adopted.

Hon. Hovey, moved the House do now take a recess for 15 minutes. Agreed to.

At the expiration of 15 minutes the House was called to order.

Hon. Valdez, moved to reconsider the vote taken yesterday on the report of the Council, on the passage of a Bill relative to the judge of probate of Taos County holding a Court in Mora," the motion was adopted, and,

The Bill on motion of Hon. Valdez, was referred to a special committee, composed of three members of this House, to act in conjunction with a similar one from the Council, for the purpose of amending and correcting said act.

The committee appointed was composed of

Messrs: Valdez, Aragon of San Miguel and Lucero.

Hon. Hovey, by leave, made the following report:

"Hon. Speaker, the select committee, to which was referred a communication from the Hon. Secretary of the Territory, relative to election returns from Doña Ana County, have the it under consideration, and report it back to the House with a joint resolution relative to the same subject, and recommend its passage,"

On motion of Hon. Valdez, the report and joint resolution were laid on the table for one day.

Hon. Lucero, moved the House do now adjourn until Monday the 10 instant at 11½ o'clock A. M. Which motion was adopted.

So the House then adjourned.

JANUARY, 10th, 1859.

The House met pursuant to adjournment.

The roll was called and there being a majority present, the House proceeded to business.

The journal of the previous day was read and approved, on being amended.

On motion of Hon. Apodaca, the business on the Speaker's table was taken up.

The Council concurred in the passage of the House an "act repealing an act giving jurisdiction to the Probate Court in criminal cases."

A Council Act reducing officers Fees."

Was read the first time, and

On motion of Hon. Apodaca, the rules were suspended and the act read the second time.

On motion of Hon. Valdez, the act was referred to the committee on Judiciary.

Hon. Valdez, moved the House adjourn until to-morrow at 10 o'clock A. M. Not agreed to.

Bills on the third reading were announced in order.

A joint resolution relative to election returns from Doña Ana County was read the third time and passed.

Whereupon on motion of Hon. Herrera from San Miguel the House adjourned until to-morrow at 11½ o'clock A. M.

JANUARY 11th, 1859.

The House met pursuant to adjournment.

The roll was called and a majority being present, the House proceeded to business.

The journal of yesterday was read and approved after being amended on motion of Hon. Bonifacio Romero.

Hon. Hovey, by leave, offered the following resolution :

"Whereas, the House has been informed, that Jesus Maria Sena y Baca, Chief Clerk of this body, is sick, and not able to discharge his duties at this time." Therefore :

Be it resolved by the House of Representatives, "That a competent and qualified person be appointed and sworn by the House, to discharge the duties of Chief Clerk, until Mr. Jesus Maria Sena y Baca, shall be able to assume his duties, or until this House shall take other measures."

The resolution was adopted.

On motion of Hon. Valdez, Mr. John W. Dunn, was appointed Chief Clerk pro-tem, who on entering upon the discharge of his duties, was sworn by the Speaker.

Hon. Herrera of San Miguel, presented a Petition addressed to the Legislative Assembly, from the inhabitants of San Miguel County, asking for a New Precinct, which was read, and

On motion of Hon. Romero, from Santa Fe, the Petition was laid on the table for one day.

Hon. Lopez, from the committee on Privileges and Elections made the following report.

"Mr. Speaker, The committee on Privileges and Elections, to which was referred "an act amendatory of the Election Law," which having been examined by said committee, is reported back to this House without amendments and respectfully recommends its passage."

Hon. Aragon, moved the report be referred to the committee of the whole House; the vote being taken on the motion to refer, the Speaker decided the motion lost.

Hon. Aragon, appealed from the decision of the Speaker.

The House sustained the decision of the Speaker.

Hon. Aragon of Rio Arriba in the Chair.

A message was received from the Council.

Hon. Gallegos of San Miguel, moved the report of the Committee on Territorial Affairs be referred to the committee of the whole House.

The vote being taken, the Speaker decided the motion to refer to the Committee of the whole House lost.

Hon. Gallegos, appealed from the decision of the Speaker, when the House refused to sustain his decision.

So the report was referred.

In committee of the whole House.

The committee rose.

On motion of Hon. Valdez, the rules were suspended and the act read the third time, and

On motion of Hon. Sanchez, the act passed.

On motion of Hon. Valdez, the House took a recess for ten minutes.

At the expiration of ten minutes the House was called to order.

Hon. Hovey, from the standing committee made the following report :

"The standing committee on Enrolled bills, to which was referred a Preamble and Joint Resolution addressed to the Hon. Secretary of the Territory, relative to elections in the county of Doña Ana last year, and also "An act relative to Indian Depredations," have found them correctly enrolled."

The report was adopted.

Mr. Vigil of Valencia introduced an act entitled "an act relative to courts in cases of appeal," which was read the first time.

Mr. Herrera of San Miguel introduced "an act creating an additional Precinct in San Miguel county," which was read the first time.

On motion of Hon. Torres, the rules were suspended and the business on the Speaker's Table was taken up.

From the Speaker's Table.

A Council Joint Resolution was read the first time, and

On motion of Hon. Romero of Santa Fé, the rules were suspended and the Joint Resolution was read the second time

On motion of Hon. Valdez the Resolution was referred to the standing committee on Territorial Affairs.

A Council Bill entitled "an act, relative to Lawyers Fees," was read the first time, and

On motion of Mr. Aragon of Rio-Arriba, the rules were suspended and the act read the second time.

On motion of Hon. Valdez, the act was referred to the standing committee on Judiciary.

A Council Memorial, asking Congress to establish an Indian Agency, was read the first time.

On motion of Mr. Herrera of San Miguel, the rules were suspended and the Memorial read the second time, and

On motion of Mr. Lucero of Santa Fe, the rules were further suspended, the Memorial read the third time, and passed.

The Council concurred in the passage of a House Bill entitled "An act fixing the limits between Precincts No. 1 and 9 of the county of Santa Fé."

Mr. Hovey, by leave, introduced a Preamble and Joint Resolution, requesting His Excellency the Governor, to inform this Assembly, whether or not he has complied with a Joint Resolution passed by the previous session of this Assembly, to examine into the Lands belonging to the Palace, which was read the first time.

On motion of Hon. Romero of Santa Fé, the rules and the resolution were read the second time and

On further motion of Hon. Romero of Santa Fé, the rules were again suspended, the resolution read the third time and passed.

A Message was received from the Council.

On motion of Hon. Romero of Santa Fé, the rules were suspended and the business on the Speaker's Table was taken up.

A Council Joint Resolution, calling the attention of the Congress of the United States, to a memorial passed at the last session of the Assembly of this Territory, relative to the limits of the Territory of Arizona, was read the first time.

On motion the rules were suspended, and the resolution read the second time and

On motion, the rules were suspended, and the resolution read the second time and

On motion of Hon. Valdez, the Resolution was referred to the Committee on Territorial Affairs.

Bills and Joint Resolutions on their third reading were announced in order.

A Joint resolution relative to the publication of 500 copies of the Treaty of Peace with the Navajo Indians made by the Military Commandant and the Superintendent of Indian Affairs, was read the second time.

Hon. Herrera, of San Miguel, offered the following amendment, strike words, "three hundred in Spanish," and insert, "four hundred," and instead of "two hundred in English," insert, "one hundred."

Which amendments were adopted.

On motion of Hon. Valdez, the rules were suspended the resolution read the third time and passed.

On motion of Hon. Romero of Santa Fé, the House adjourned until to-morrow at 11 o'clock A. M.

JANUARY, 13th 1859.

The House met pursuant to adjournment.

The Speaker, being prevented by sickness to take his seat, the House was called to order by the Chief Clerk, and

On motion of Hon. Herrera of San Miguel, Hon. Valdez was elected Speaker pro tem.

The journal of the previous day was read and approved.

Hon. Hovey moved the House to adjourn until to-morrow at 11 o'clock A. M.

Which motion was adopted.

Whereupon the House adjourned until to-morrow at 11 o'clock A. M.

JANUARY, 18rd 1859.

The House met pursuant to adjournment.

The roll was called and a majority being present, the House proceeded to business.

Hon. Aragon of Rio Arriba, presented a petition from the inhabitants of the Rio del Oso Precinct, county of Rio Arriba, asking to be annexed to Precinct 11, which was read and laid on the table for one day.

On motion of Hon. Aragon of Rio Arriba, the petition was taken up out of order.

Mr. Torres moved the petition be referred to the committee on the the Boundaries of Counties

Hon. Hovey, called for the Ayes and Noes, the roll being called the motion to refer was decided in the affirmative. Ayes 11, Noes 8.

So the petition was referred.

Hon. Jaramillo moved the House take a recess for 15 minutes. Not agreed to.

Hon. Hovey moved the House to adjourn until Saturday at 10 o'clock A. M. Not agreed to.

On motion of Mr. Aragon of Rio Arriba, the business on the Speaker's Table was taken up.

The Council concurred in the passage of a Joint Resolution asking information of His Excellency the Governor relative to the Palace property—with the following amendment.

Annex thereto the following, "and if he has or not taken possession thereof, or what is their condition."

The House concurred in the amendment.

The Council concurred in the passage of the House Act, providing for the drawing up of forms."

The Council concurred in the passage of the House Joint Resolution, requesting information of the Secretary of the Territory, relative to the election in Doña Ana County.

The Council rejected the House Bill, "amendatory of the Election Law."

A Council Bill, "amendatory of the Law, relative to Contracts between Masters and Servants," was read the first time.

On motion of Mr. Lopez, the rules were suspended and the Act read the second time.

Hon. Sanchez moved to refer the act to the Committee on Public Property.

The vote being taken the Speaker decided in the affirmative.

Hon. Hovey appealed from the decision of the Speaker and called for the Ayes and Noes. Ayes 8, Noes 11.

So the Speaker was not sustained by the House.

The act remained in the order of unfinished business.

Hon. Sanchez moved the House do now adjourn until to-morrow at 11 o'clock A. M. Not agreed to.

Mr. Herrera moved the House to adjourn until to morrow at 11 o'clock A. M. Not agreed to.

Hon. Herrera moved the House to adjourn until the following day at 11½ o'clock P. M. Not agreed to.

Hon. Hovey moved the House do now adjourn until Saturday the 13th inst. at 11½ o'clock P. M. and called for the Ayes and Noes, which motion was decided in the affirmative. Ayes 12, Noes 7.

So the House adjourned.

JANUARY 15th 1859.

The House met pursuant to adjournment.

The roll was called and a majority being present, the House proceeded to business.

The Journal of Thursday was read and approved.

Hon. Hovey, by leave introduced a Preamble and Joint Resolution, addressed to the Hon. John B. Floyd, Secretary of War of the United States, and to Colonel B. L. C. Bonneville, Military Commandant of this Territory, requesting the establishment of a Military Fort on Red River, in the County of San Miguel, which was read the first time.

On motion of Hon. Romero of Santa Fé, the rules were suspended and the Resolution read the second time.

Hon. Apodaca moved the Resolution be referred to the committee on Territorial Affairs. Not agreed to.

Hon. Apodaca, appealed from the decision of the Speaker.

The House sustained the decision of the Speaker.

On motion of Hon. Aragon of Rio-Arriba, the rules were further suspended, the Resolution read the third time and passed.

Hon. Romero of Taos introduced "an act, relative to the practice in the District Courts," which was read the first time.

On motion of Hon. Sanchez the rules were suspended and the act read the second time.

Hon. Sanchez moved the act, be referred to the committee on Territorial Affairs.

Hon. Herrera called for the Ayes and Noes.

Ayes 8, Noes 10.

So the House refused to refer the act, to the committee on Territorial Affairs.

Hon. Aragon of Rio Arriba, moved the act be referred to a committee composed of one member from each County, and called for the Ayes and Noes.

The vote being taken on the motion to refer, it was decided in the negative.

Ayes 7. Noes 11.

So the act was not referred.

On motion of Hon. Hovey the rules were further suspended and the act read the third time.

Hon. Herrera moved the Ayes and Noes, he called on the passage of the act, the vote being taken, it was decided in the affirmative.

Ayes 13, Noes 5.

So the act passed.

On motion of Mr. Herrera of San Miguel, the House granted Mr. Faustín Baca, 4th clerk, four days leave of absence.

On motion of Mr. Hovey the House granted Mr. José Vigil, a leave of absence for eight days.

Hon. Hovey moved the House do now adjourn until Monday next at 10½ o'clock A. M. Not agreed to.

Hon. Aragon of Rio Arriba moved the House to adjourn until Monday at 10½ o'clock A. M. Not agreed to.

Hon. Lopez then moved the House adjourn until Monday next at 11 o'clock A. M. Not agreed to.

On motion of Hon. Herrera of San Miguel, the House proceeded to take up the business on the Speaker's Table.

"An act, relative to contracts between Masters and Servants," was then read the second time.

On motion of Mr. Sanchez, the act was referred to a select committee.

The committee was composed of

Messrs. Sanchez, Cordova and Torres.

Hon. Sanchez moved the House do now adjourn until Monday at 2 o'clock P. M. Not agreed to.

On motion of Hon. Lopez the business on the Speaker's table was taken up.

The council concurred in the passage of the House Act entitled

"An act relative to Territorial and County Revenue and the prohibition of gaming," with the following amendment

Insert in section 1st, line 5th, "relative to the quantity of goods introduced or received for sale by each merchant."

The House concurred in the amendment.

On motion of Hon. Romero of Santa Fé, the House adjourned until Monday the 17th inst. at 10 o'clock A. M.

JANUARY, 17th 1859.

The House met pursuant to adjournment.

The roll was called and a majority being present the House proceeded to business.

The Speaker *pro tem.* being too sick to attend the session, the House proceeded to the election of a Speaker *pro tem.*

Whereupon, Hon. Sanchez of Taos, was unanimously elected Speaker *pro tem.* and took his seat as such.

The Journal of Saturday was read and approved.

Hon. Herrera of San Miguel moved a call of the House, and the roll being called, Messrs. Aragon of San Miguel, Hovey, Jaramillo, Lucero, Romero of Taos and Valdez did not answer when their names were called.

On motion of Hon. Aragon of Rio Arriba, the further call of the House was dispensed with.

Hon. Herrera of San Miguel, moved the House to adjourn until 2 o'clock P. M. Not agreed to.

Hon. Martin moved, the House take a recess for $\frac{1}{2}$ on hour. Not agreed to.

Mr. Aragon of Rio Arriba, by leave introduced "an act abolishing a precinct in Rio-Arriba County," which was read the first time.

On motion of Mr. Cordova, the rules were suspended and the act read the second time.

On motion of Mr. Herrera of Santa Fé, the act was referred to a special committee of three, composed of

Messrs. Herrera of Santa Fe, Torres and Salazar.

Bills on their second reading were announced in order.

"An act, creating an additional precinct in San Miguel County," was read the second time.

On motion of Mr. Aragon of Rio-Arriba; the rules were suspended the act read the third time and passed.

"An act, relative to courts and appeals," was read the second time, and

On motion of Hon. Herrera of San Miguel, the act was referred to a select committee of three, composed of

Messrs: Herrera of San Miguel, Romero of Santa Fé and Mares

Mr. Torres, by leave, made the following report :

"The committee of Engrossed Bills to which was referred, "an act, relative to drawing up forms for judicial proceedings." and

"An act, relative to the Territorial and County Revenue and the Prohibition of Gaming," have examined the same and find them correctly engrossed."

Which report was adopted.

On motion of Hon. Aragon of Rio Arriba, the House took a recess for 15 minutes.

At the expiration of the 15 minutes, the House was called to order.

Hon. Apodaca, presented a petition from the inhabitants of Socorro County, pray the Assembly to memorialize Congress to grant an Agent for the Cayotero Apaches.

The petition was read, and on motion of Hon. Hovey, a special committee of three was appointed to draw up a memorial, in accordance with the prayer of the petition.

The committee appointed was composed of

Messrs: Hovey, Torres and Romero of Santa Fé.

On motion of Hon. Apodaca, the House took a recess for 20 minutes.

At the expiration of 20 minutes, the House was called to order.

Hon. Hovey, made the following report.

"The select committee which was appointed to draw up a memorial to the Hon. Secretary of the Interior, asking for one or more Agency's for the Cayotero and Peñaleño Apaches as recommended in a petition signed by the inhabitants of Rio Abajo, have the honor to present the accompanying memorial, and recommend its passage."

Which report was adopted, and

The memorial read the first time.

On motion of Hon. Torres, the rules were suspended, and the memorial read the second time.

On motion of Hon. Apodaca, the rules were further suspended, the memorial read the third time and passed.

The House then proceeded to take up the business of the Speaker's table.

A message was received from His Excellency the Governor informing the House that he had signed a House Bill "relative to Indian Depredations."

The Council concurred in the passage of the House joint resolution, addressed to the Hon. John B. Floyd, Secretary of war of the United States, and Colonel B. L. E. Bonneville, Military Commandant of this Territory asking for the establishment of a Military Fort on the river Colorado in San Miguel County.

A committee from the Council, was received, who informed this House, that Messrs. Albino Chacon, Nasario Gonzales and Jesus Maria Baca, had been appointed on the part of the Council, a committee of conference, to act with a similar one from the House on the "act authorizing the Probate Judge of Taos County to hold Court in Mora."

Whereupon on motion of Hon. Herrera from San Miguel the House adjourned until to-morrow at 11 o'clock A. M.

JANUARY 18th, 1850.

The House met pursuant to adjournment.

The roll was called and a majority being present, the House proceeded to business.

The journal of yesterday was read and approved.

On motion of Hon. Herrera of San Miguel the House took a recess for 10 minutes.

At the expiration of 10 minutes the House was called to order.

On motion of Hon. Romero of Santa Fé, the House adjourned until to-morrow at 11½ o'clock A. M.

JANUARY, 19th 1850.

The House met pursuant to adjournment.

The roll was called and a majority being present the House proceeded to business.

The journal of yesterday, was read and.

On motion of Hon. Romero of Santa Fé, all that portion, which referred to the Treaty of Peace made, the Navajo Indians was struck out with after said amendment it was approved.

On motion of Hon. Herrera of San Miguel, the House took a recess for 10 minutes.

At the expiration of 10 minutes, the House was called to order.

On motion of Hon. Hovey, it was ordered by the House, that the Chief Clerk thereof, transmit to the Secretary of the Territory, the Treaty of Peace, lately made with the Navajo Indians, and request the printing thereof, in accordance with a joint resolution, requiring the the same to be printed.

Hon. Valdez, by leave presented the following resolution :

Resolved by the House of Representatives of the Territory of New México : That the action, taken yesterday on the Treaty of Peace,

between the Government of the United States and the Navajo tribe, be and the same is hereby expunged from the journal, for the reason that we know and are persuaded that we have no right to legislate relative to take any action concerning the subject, as provided in the constitution of the United States."

Be it further resolved, that this resolution be in force from its passage.

The resolution was read and rejected.

On motion of Hon. Hovey, the business on the Speaker's table was taken up.

The following communication from His Excellency the Governor was read.

EXECUTIVE DEPARTMENT.

Santa Fé, January 17th 1859.

To the Honorable the House of Representative
of the Territory of New Mexico :

In answer to the resolution requesting me to inform you what sum will be sufficient to conclude the repairs on the Old Palace, I would say, in my opinion, that twenty five hundred dollars in addition to the small balance on hand, would be sufficient to finish the repairs in a satisfactory manner unless, Congress should determine to discontinue the New Capitol, in which case, it would be necessary to improve considerably both Houses, the House of Representatives as well as the Council Chamber, for the convenience of future legislation, but the sum above mentioned would be sufficient to make such repairs as are now required.

Very respectfully,

[Signed]

A. RENCHER,
Governor of N. Mexico.

The communication was adopted.

Hon. Hovey, by leave introduced a joint resolution, addressed to the Hon. Howell Cobb, Secretary of the United States Treasury asking an appropriation be made, from the appropriation for the Legislative purposes, of twenty five hundred dollars to complete the repairs on the Old Palace.

Which was read the first time.

On motion of Hon. Valdez, the rules were suspended and the resolution read the second time.

On motion of Hon. Herrera of San Miguel the resolution was ordered to the translator for translation.

The House memorial, asking for the establishment of agency's for Coyotero and Piñaleños Apaches, was concurred in by the Council, with the following amendment :

"And the Secretary of the Territory is respectively requested to transmit a copy of this memorial to our Delegate from this Territory by the next mail, or as soon as possible.

Which amended was concurred in by the House:

Hon. Romero of Santa Fé, moved the House now adjourn until tomorrow at 10 o'clock A. M. Not agreed to.

Hon. Hovey moved that a committee composed of three members, be appointed to ascertain if the House is duly organized or not, in consequence of the absence of the duly elected presiding officer.

Hon. Aragon of Rio Arriba, called for the Ayes and Noes, and the vote being taken it was decided in the Affirmative.

Ayes 14, Noes 5.

So the motion to appoint was affirmated.

The committee appointed was composed of

Messrs Hovey, Valdez and Lucero.

Mr. Aragon of Rio Arriba, moved the House do now adjourn until Friday at 10 o'clock A.M.

The Speaker decided the motion out of order, it not being seconded by two Members as required by the rules.

Mr. Aragon of Rio Arriba, appealed from the decision of the Speaker and the vote being taken the House sustained the decision of the Speaker.

Whereupon on motion of Hon. Romero of Santa Fé, the House adjourned until the following day at 11 o'clock A. M.

JANUARY 20th 1859.

The House met pursuant to adjournment.

The roll was called and a majority being present, the House proceeded to business.

The Journal of yesterday was read and approved.

A committee from the Council was received, requesting the Signature of the Speaker to certain acts passed by both Houses.

The Speaker announced to the House that he had signed the following entitled acts.

"An act requiring the Judges of the Districts to hold courts in the different counties," and

A Joint Resolution "authorizing the Secretary of the Territory to have 400 copies of the Treaty with the Navajo Indians printed."

On motion of Hon. Romero of Santa Fé, the business on the Speaker's Table was taken up.

A Council Joint Resolution, declaring the Code revised by James J. Deavenport, Ex Chief Justice of New Mexico, incomplete and incorrect, was read the first time.

On motion of Hon. Romero of Santa Fé, the rules were suspended and the Resolution read the second time.

An motion of Mr. Valdez, the Resolution was referred to a select committee composed of one member from each county.

The following committee was appointed

Messrs Valdez, Romero of Santa Fé, Aragon of R. A. Lucero, Herrera of San Miguel and Lopez.

Hon. Herrera of Santa Fé, by leave made the following report

"The select committee to which was referred "an act, entitled an act abolishing a precinct in Rio Arriba county," have had the same under consideration and beg leave to state to the House the following

1st. That said act introduced during the present session of the Legislature, for the same purpose, was rejected."

2nd That the petition accompanying the said act is nothing but a list, which is not signed by the proper petitioners, for which reason, we believe it is on illegal list.

3rd. That we believe and are fully persuaded, that the citizen of Rio Arriba County; and particularly those of the precinct mentioned in the act, do not desire the precinct to be abolished."

In account of the above reason, the committee recommend that said act be rejected.

Hon. Aragon of Rio Arriba moved the report be rejected.

The vote being taken, the Speaker decided that the motion to reject was lost.

Hon. Aragon of Rio Arriba, appealed from the decision of the Speaker.

And the Ayes and Noes being called, the decision of the Speaker was sustained by the House.

Hon. Valdez by leave made the following report

"The standing committee on Engrossed Bills, to whom was referred "an act, relative to loose animals," have had the same under consideration and after a careful examination thereof find it correctly engrossed."

The report was adopted.

Hon. Hovey by leave made the following report

"The standing committee on enrolled Bills, to which was referred

"An act repealing an act, giving jurisdiction to Probate Judges in Criminal cases and for other purposes."

"An act fixing the limits between precinct 1 and 9 of the county of Santa Fé."

A Preamble and Joint Resolution, to the Hon. Secretary of war and to Colonel B. L. C. Bonneville, asking the establishment of a Military Post on Red river on the county of San Miguel.

A Preamble and Joint Resolution to His Excellency the Governor, asking information, relative to the lands belonging to the Palace and

A Preamble and Joint Resolution to the Secretary of the Territory, "relative to the elections returns of Doña Ana County of last year," all of which have been examined by the committee, and find them correctly enrolled!

The report was adopted.

Hon. Hovey by leave made the following report

"The select committee appointed to ascertain whether or not the House is duly organized, having an Speaker *pro tem.* in the Chair, have the honor to inform the House, that this House is duly and

legally organized, and the proceedings thereof— are legal and valid and that the Hon. Felipe Sanchez is properly the Speaker *pro tem.* during the absence of the Hon. Jose. Guadalupe Gallegos, Speaker of this House and that the Hon. Speaker Gallegos is not compelled to resign."

O. P. HOVEY,
PEDRO VALDEZ, } Committee.
N. LUCERO,

Hon. Aragon of Rio Arriba called for the Ayes and Noes on the adoption of the report, when it was decided in the affirmative.

Ayes 12, Noes 7.

So the report was adopted.

Hon. Torres made the following report

"The select committee to which was referred "an act, amendatory of the law relative to contracts between Masters and Servants," report the same back to the House and recommend its passage."

The report was adopted.

Hon. Aragon of Rio Arriba, moved the House take a recess for 10 minutes. Not agreed to.

On motion of Hon. Torres, the act amendatory of the act "relative to contracts between Masters and Servants," was taken up, read the third time and passed.

On motion of Hon. Lopez, the House took a recess for 15 minutes.

At the expiration of the 15 minutes the House was called to order.

On motion of Hon. Hovey the House proceeded to the order of the day.

"An act, relative to estrays," was read the third time.

Hon. Aragon moved the act be rejected and called for the Ayes and Noes.

Ayes 6. Noes 13,

So the act was not rejected.

The question for the passage of the act being put, the act passed.

A joint resolution, returned by the translator, addressed to the Hon. Howell Cobb, Secretary, of the Treasury of the United States, asking for the sum of \$2,500 be set aside from the appropriation for Legislative purposes to complete the repairs on the Old Palace, was read the third time and passed.

On motion of Hon. Valdez, the House adjourned until to-morrow at 11 o'clock A. M.

JANUARY, 21st. 1855.

The House met pursuant to adjournment.

The roll was called and there being a majority present, the House proceeded to business.

The journal of the previous day was read and approved.

Hon. Jaramillo in the Chair.

Hon. Sanchez, introduced "an act assigning the Hon. W. F. Boone to the third judicial District and for other purposes."

Which was read the first time.

On motion of Hon. Romero of Santa Fe, the rules were suspended and the act read the second time.

On motion of Hon. Sanchez, the rules were further suspended, the act read the third time and passed.

Hon. Vigil by leave, made the following report:

"The standing committee on County Boundaries, to which was referred a petition from the inhabitants of precinct N. ^o 15 of the County of Rio Arriba, have had the same under consideration and finding it just report it back to the House and recommend the petition be granted."

Hon. Valdez, moved the report be rejected.

Hon. Herrera of San Miguel, called for the ayes and noes and the motion to reject was decided in the affirmative.

Ayes 11. Noes 10.

So the report was rejected.

Hon. Aragon, of Rio Arriba, asked a leave of absence for 4 days, which leave was granted.

A message was received from His Excellency the Governor informing the House that he had approved the following entitled acts and Joint Resolution to wit.

An act authorizing courts to be held in the different counties.

An act repealing an act, giving criminal Jurisdiction to Probate Judges.

An act providing for drawing up forms for judicial proceedings.

An act concerning Territorial and County Revenue.

An act fixing the limits of Precinct No. 1 and 9 of the county of Santa Fe, and

A Joint Resolution "authorizing the publication of the Treaty of peace with the Navajo Indians.

All of which originated in this House.

Hon. Valdez by leave introduced

An act, relative *certiorari* in certain cases," which was read the first time.

On motion of Hon. Romero of Santa Fé, the rules were suspended and the act read the second time.

On further motion of Hon. Romero of Santa Fe, the act was referred to a committee, composed of one member from each county.

The committee appointed are

Messrs Romero of Santa Fé, Aragon S. M. Apodaca, Lopez, Jaramillo, Valdez and Lucero.

Hon. Hovey, by leave, introduced a Joint Resolution addressed to the Hon. John S. Phelps, Senator in the Congress of the United States from the State of Missouri inviting him to visit our Territory, which was read the first time.

On motion of Hon. Romero of Santa Fé, the rules were suspended and the Resolution read the second time.

On motion of Hon. Valdez the rules were further suspended, the resolution read the third time and passed.

Hon. Hovey, by leave made the following report:

"The standing committee on Enrolled Bills, a memorial addressed to the Secretary of the Interior relative to the establishment of one or more agencies for the Coyotero and Peñaleño Indians, and the appointment of Mr. Estanislado Montoya agent, find the same correctly enrolled."

The report was adopted.

The business on the Speaker's table was taken up.

The Council concurred in the passage of the House Bill entitled "an act, relative to the practice in the Districts Courts."

A Council Bill, "reducing the expenses of the Territory and to prevent frauds in taxing costs and in the collection thereof," was now read the first time.

On motion of Hon. Valdez, the rules were suspended and the act read the second time.

On further motion of Hon. Valdez, the rules were again suspended the act read the third time and passed.

On motion of Hon. Hovey, the House took a recess for 10 minutes.

At the expiration of the 10 minutes the House was called to order.

On motion of Hon. Valdez, the business on the Speaker's table was taken up.

An act assigning the Hon. W. F. Boone, to the third Judicial District, and for other purposes," which originated in this House, was concurred in by the Council.

The Council concurred also, in the passage of a House joint resolution, addressed to the Hon. John S. Phelps, member of Congress from the Missouri State inviting him to visit our Territory.

On motion of Hon. Valdez, the House adjourned until to-morrow at 10 o'clock, A. M.

JANUARY 22^d, 1880

The House met pursuant to adjournment.

The roll was called and a majority being present, the House proceeded to business.

The journal of yesterday was read and approved.

Hon. Valdez, made the following report :

"The committee of conference appointed on the part of this House, to act with a similar one from the Council, to take into consideration 'an act giving jurisdiction to the Probate Judge of Taos County to hold Court in Mora,' relative to the amendments made thereto by the Council have had the same under consideration, and the committees have agreed; that said amendment be rejected, and that the act pass, with the following amendment, to wit, strike out 'from the County seat' and insert, 'from his residence.' The committee also recommend that this report be adopted."

PEDRO VALDEZ,	} House Committee
NICOLAS LUCERO,	
REYES ARAGON,	
ALBINO CHACON,	} Council Committee
JESUS M. BACA,	
N. GONZALEZ,	

The report was adopted, and

On motion of Hon Valdez, the act was ordered to be enrolled as amended by the committee.

Hon. Benavidez, introduced a Joint Resolution, praying that the Surveyor General's Office, be not removed from the Capital. Which was read the first time.

On motion of Hon. Romero of Santa Fé, the rules were suspended and the resolution read the second time.

On motion of Hon. Torres, the resolution was referred to a select committee.

The committee appointed are,

Messrs: Torres, Herrera of San Miguel and Romero of Santa Fé.

Hon. Valdez, introduced :

"An act for the protection of Slave Property in this Territory," which was read the first time.

Hon. Hovey, moved the rules be suspended and the act read the second time. Not agreed to.

The business on the Speaker's table was taken up.

"The Council concurred in the passage of the House joint resolution addressed to the Hon. Howel Cobb, Secretary of the Treasury.

The following communication was received from the Secretary of the Territory.

SECRETARY OFFICE, TERRITORY OF NEW MEXICO.
Santa Fé, January 21 1859.

To the Hon. Legislative Assembly
of the Territory of New Mexico :

In compliance with the request contained in a certain preamble and joint resolution passed by your Hon. bodies, in relation to the failure of the Probate Judge of the County of Doña Ana to make returns to this office of the general election required by law to be held on the first Monday of September last, the undersigned Secretary of the Territory, respectfully report :

1st. That he did not, as required by the 29 section of the election law of 21st of July 1851, dispatch a special messenger to the County of Doña Ana with directions to bring the returns of said election.

2nd. That the reason he did not do so, was because neither by that law nor any other, is there any fund created out of which the undersigned could defray the expenses necessarily to be incurred in the execution of the provisions of the section of said act above referred to.

The undersigned respectfully suggests to the Hon. Assembly that the Legislature Fund, appropriated by the Federal Government, placed in his hands for disbursement, is not applicable to the purposes contemplated by the provisions of section 29 of the election law of 1851.

A copy of this communication is transmitted to each House of the Assembly.

Respectfully submitted,

A. M. JACKSON.

Secretary of the Territory of New Mexico.

Hon. Torres moved the communication be adopted, and having called the ayes and noes on the motion to adopt, it was decided in the negative.

Ayes 9. Noes 11.

So the communication was not adopted:

On motion of Hon. Hovey, the communication was referred to a committee composed of one member from each County.

The committee appointed are:

Messrs: Hovey, Valdez, Lucero, Martinez, Apodaca, Lopez, and Herrera of San Miguel.

A Council Bill entitled :

"An act creating two additional precincts in the County of San Miguel," was read the first time.

On motion of Hon. Torres, the rules were suspended and the act read the second time, when

On motion of Hon. Apodaca, the rules were further suspended, the act read the third time and passed.

Hon. Romero of Santa Fé, made the following report.

"The select committee to whom was referred "an act concerning *certiorari* certain cases," have it under consideration, report the same back to the House with one amendment and recommend its passage."

The report was adopted.

The act was ordered to be engrossed.

Hon. Herrera of San Miguel moved the House do now adjourn until Monday at 12 M. Not agreed to.

Hon. Encero moved the House do now adjourn until Monday at 11 o'clock, A. M. and having called for the ayes and noes, the motion to adjourn was negatived.

Ayes 10. Noes 10.

Hon. Valdez, moved the House adjourn until Monday at 10 o'clock A. M. and the ayes and noes being called, the motion was negative.

Ayes 9. Noes 11.

So the House refused to adjourn.

Hon. Hovey moved the House do adjourn until Monday at 2 o'clock P. M. and called for the ayes and noes, the vote being taken it was decided in the affirmative.

Ayes 14. Noes 9.

So the House adjourned.

JANUARY, 24th 1859.

The House met pursuant to adjournment.

The roll was called and a majority being present the House proceeded to business.

The journal of Saturday was read and

Hon. Hovey by leave made the following report:

"The committee on Enrolled Bills, to whom was reported, "an act, relative to the practice in the District Courts in this Territory," and

"An act, assigning the Hon. W. F. Boone, to the Third Judicial District and for other purposes," have found the same to be correctly enrolled."

The report was adopted.

Hon. Vigil introduced "an act, — which was read the first time.

On motion of Hon. Romero of Santa Fé, the rules were suspended and the act read the second time.

On motion of Hon. Hovey, the act was referred to the committee on County Boundaries.

Acts on their 2nd reading, was then taken up.

"An act, providing for the protection of slave property in this Territory," was read the second time.

Mr. Valdéz moved the rules be suspended and the act read the third time and "

The ayes and noes being called it was decided in the negative. Ayes 9, Noes 11.

So the act was not read the third time.

Hon. Herrera of San Miguel, moved the act be referred to a select committee of one member from each county and the ayes and noes being called the motion to refer was decided in the affirmative. Ayes 11, Noes 9.

The committee appointed are

Messrs. Herrera, S. M. Hovey, Valdez, Vigil of Valencia, Lucero, Jaramillo and Apodaca.

Mr. Vigil moved the House adjourn until to-morrow at 11 o'clock A. M. Not agreed to.

O motion of Hon. Lopez, the business on the Speaker's table was taken up

The following communication was received from His Excellency the Governor to wit :

EXECUTIVE DEPARTMENT,
Santa Fé, January 22nd 1859 }

TO THE LEGISLATIVE ASSEMBLY

of the Territory of New Mexico.

I have received the Resolution of the Legislative Assembly, requesting me to inform them how far I have complied with the Resolution of the Legislative Assembly of 1857—58, which requested the Governor to ascertain the extent of the grounds appertaining to the Palace, and to take possession of the same as Territorial property :

In reply to which I have the honor to state for the information of the Legislative Assembly, that soon after the adjournment of the last Legislature, in obedience to their request, I made enquiry of the oldest and most respectable inhabitants of the Territory, as to the extent of the grounds which had always been considered as appertaining to the Palace. From the sources of information it appears that the grounds appertaining to the Palace embraced all the open space immediately in the rear of the Palace and about one third part of the Government Corral adjoining it. To establish these facts, I took the testimony of the Honorable Donacio Vigil, President of the Council, and Augustus Durán, formerly Collector of Customs for the Territory, and had their certificates properly authenticated, and filed among the archives of the Department, with other documents on the same subject, for future use if found necessary. From this evidence it appears that the Palace and grounds adjacent, to the extent above named, had always been occupied and cultivated by the Civil Governor of the Territory, whenever there was one, to the exclusion of all others.

These grounds have been partially occupied, for some years past, by the Military Department of the Government, but upon submitting the evidence above referred to, to the Head of the Military Department for this Territory, the ground in rear of the Palace was surrendered to me, as Civil Governor of the Territory, which I have since converted as a garden, and which I shall have inclosed with the Palace.

I did not think it proper to make any difficulty with the Military Department about the small portion included in the corral. Upon the completion of the New Capitol, I suppose these corrals will be removed, when the Garden appertaining to the Palace may be extended to its ancient limits without any difficulty.

It would not be wise, in my opinion, to make any issue with the United States, about the legal title to these public grounds. The United States having the use and occupation of them, in good repair as required by that law. Whenever the Territory shall become a state, the United States will, without doubt, relinquish to the New State all her interest in the public property, as she has always done in other similar cases.

Very respectfully submitted

A. RENCHER, Gov.

The communication was laid on the Table for one day under the rules.

The House Bill, "creating an additional precinct in the county of San Miguel," was rejected by the Council.

The Council rejected the House Bill on its first reading, entitled "an act relative to estrays."

Hon. Hovey by leave, introduced the following resolution

Be it resolved by the House of Representatives, "That the Hon. Secretary of the Territory be directed and authorized to contract for the printing of three hundred copies of the act, introduced in this House in relation to "Slave Property in this Territory," two hundred in Spanish and one hundred in English for the use of the Assembly."

The resolution was adopted.

Hon. Herrera of San Miguel, presented the following resolution

Be it resolved by the House of Representatives, "That the office of the 4th clerk of this House be declared vacant, and that it be filled by Joaquin Larriba, to discharge the duties thereof during the present session of the Legislature."

Hon. Valdez offered the following amendment to the resolution.

"Not only shall the office of the 4th Clerk of this House be declared vacant, but also the office of any Clerk or the next of any member thereof, who shall be absent now, unless his absence be caused by severe sickness."

The ayes and noes being called, the resolution together with the amendment was rejected.

A committee from the Council appeared, requesting the signature of the Speaker to ascertain acts passed by both Houses.

Whereon the Speaker announced that he had signed acts of the following titles, to wit

"An act, amendatory of the law, relative to contracts between Masters and Servants,"

"An act, to lessen the expenses of the Territory," and

A Memorial, "relative to Indians."

On motion of Hon. Herrera of Santa Fé, the House adjourned until to-morrow at 11½ o'clock A. M.

JANUARY 25th 1859.

The House met pursuant to adjournment.

The roll was called and a majority being present, the House proceeded to business.

The Journal of yesterday was read and approved.

Hon. Valdez, moved the House adjourn until to-morrow at 10 o'clock A. M.

Which motion was not agreed to.

The business on the Speaker's table was taken up.

A House Bill entitled:

"An act creating to additional precincts in the County of Taos," was concurred in by the Council, with the following amendment:

Strike out in the first section line third all after the words, "precinct N. ^o 22," and insert therefore, "shall be composed of those of Ceroya Valle, house and forms adjoining, bounded on the North by the Cuchilla of the Puertecito, on the South by the limits of San Miguel County, and on the West by the Mountain."

In Section 2nd. after the words "function of the rivers, insert, "including Barkley's fort, forms and houses adjoining."

Which amendments were adopted.

Mr. Aragon of Rio Arriba, presented a petition from the inhabitants of precinct N. ^o and 13 of the County of Rio Arriba; praying that said precincts be decided by the river, which was read, and

On motion of Hon. Jaramillo, was adopted.

Hon. Torres, by leave made the following report:

"The select committee to which was referred a joint resolution, asking that the Surveyor General's Office be not removed from the Capital, have had the same under consideration, and knowing the prayer to be just report the resolution back to the House and recommend its passage."

The report was adopted, and

The resolution passed to its third reading.

Hon. Aragon of Rio Arriba, by leave, introduced,

"An act fixing the limits of precincts N. ^o 2 and 13, of the County of Rio Arriba."

Which was read the first time.

On motion of Hon. Jaramillo, the rules were suspended and the act read the second time.

Hon. Romero moved the act be referred to a select committee composed of three members and called for the ayes and noes.

The vote being taken the motion to refer was negatived. Ayes 9, Noes 10.

So the act was not referred.

Hon. Apodaca moved the rules be suspended and the act read the third time.

Mr. Aragon in the chair.

Hon. Valdez moved a call of the House.

The Speaker decided the motion out of order.

On motion of Hon. Valdez, the House adjourned until to-morrow at 10½ o'clock A. M.

JANUARY, 16th 1850.

The House met pursuant to adjournment.

The roll was called and a majority being present the House proceeded to business.

The journal after being amended, on motion of Messrs Aragon of Rio Arriba and Herrera of San Miguel was approved.

A communication was received from the Chief Clerk of this House, in which he resigns his office as such Chief Clerk.

Hon. Hovey moved the resignation be referred to a select committee of three members. Not agreed to.

A committee was received from the Council, requesting the signature of the Speaker to an act passed by both Houses.

Whereupon the Speaker announced that he had signed "An act, creating two additional precincts in the county of San Miguel."

Hon. Aragon moved the resignation of the Chief Clerk be accepted.

Mr. Speaker decided that the motion to accept was negatived.

Hon. Aragon moved an reconsideration of the vote on the motion to accept.

When Hon. Hovey moved the House adjourn until 2½ o'clock P. M. and

Called for the ayes and noes.

The vote being taken it was decided in the affirmative. Ayes 18, Noes 5.

So the House adjourned.

AFTERNOON SESSION.

The House met pursuant to adjournment.

The roll was called and a majority being present the House proceeded to business.

Hon. Valdez presented the following resolution.

Be it resolved by the House of Representatives of the Legislative Assembly of the Territory of New Mexico:

"That the resignation of the Chief Clerk of this House of the office as such, be not admitted, and that a committee of three members of this House be appointed by the Speaker thereof, to wait upon said chief clerk, and respectfully request him to discharge the duties of his office for the few days remaining of this session."

The resolution was adopted and

The committee appointed are

Messrs. Valdez, Apodaca and Benavidez.

On motion of Mr. Herrera of San Miguel the House took a recess for 15 minutes.

At the expiration of the 15 minutes, the House was called to order.

Hon. Valdez, Chairman of the select committee appointed to wait upon the Chief Clerk and request him to continue in office until the end of the present session, reported that the committee had complied with duty assigned them and that the chief clerk would with pleasure comply with the wishes of the House.

The report was adopted, and the Chief Clerk entered upon the discharge of his duties.

On motion of Hon. Apodaca, the business on the Speaker's table was taken up.

"A council joint resolution, requiring the Editor of the Gazette to publish in the Spanish language, all bids to be let by the Government, was read the first time

On motion of Hon. Romero of Santa Fé, the rules were suspended and the resolution read the second time when.

On further motion of Hon. Romero of Santa Fé, the rules were again suspended, the resolution read the third time and passed.

A Council joint resolution authorizing the Governor to offer one hundred dollars reward for the apprehension of the murderers of Thomas Rowland.

Was read the first time.

On motion of Hon. Herrera of San Miguel, the rules were suspended, and the resolution read the second time.

On motion of Hon. Valdez, the rules were further suspended the resolution read the third time and passed.

"An act creating the office of Attorney General," was read the first time, and

On motion of Hon. Valdez, the rules were suspended and the act read the second time.

On further motion of Hon. Valdez, the rules were further suspended, the act read the third time and passed.

"An act amendatory of an act authorizing a revision of the laws of the Territory, approved January 3rd. 1859." Was read the first time.

On motion of Hon. Jaramillo, the rules were suspended and the act read the second time.

On motion of Hon. Herrera of San Miguel, the rules were further suspended, the act read the third time and passed.

"An act amendatory of section 56 of an act relative to the powers and duties of Justices of the Peace."

Was read the first time.

On motion of Hon. Romero of Santa Fé, the rules were suspended and the act read the second time.

Hon. Herrera of San Miguel, moved the act be referred to a select committee composed of one member from each county.

The ayes and noes being called it was decided in the affirmative.

Ayes 18. Noes 2.

So the act was referred.

The committee appointed are:

Messrs.: Herrera of San Miguel, Benavidez, Aragon of R. A. Lucero, Valdez, Lopez and Torres.

A joint resolution, requesting the Governor to send to the Prefect of San Miguel County copies of laws creating additional precincts in that County.

Was read the first time.

On motion of Hon. Herrera, of San Miguel; the rules were suspended, and the resolution read the second time.

On further motion of Hon. Herrera of San Miguel, the rules were again suspended, the resolution read the third time and passed.

Hon. Herrera of San Miguel, by leave, presented the following resolution:

Resolved by the House of Representatives of the Territory of New Mexico: That the committee on judiciary, to which was referred, "an act relative to loose animals," and "an act relative to Fee Bills of the officers of this Territory," be required to report on said Bills, in accordance with a resolution passed by this House giving four days to the committee to report in, and that time having elapsed, that said committee be now required to make their report."

The resolution was adopted.

On motion of Hon. Hovey, the order of the day was taken up.

The joint resolution, requesting the Surveyor General's office should not removed from the Capital. Was read the third time and passed.

Hon. Valdez, by leave introduced:

"An act prohibiting stock to be pastured within the limits of the settlements of the Territory," which was read, and

On motion of Hon. Hovey, the act was referred to a select committee of three members.

The committee appointed are :

Messrs : Hovey, Herrera of San Miguel and Valdez.

On motion of Hon. Herrera, of San Miguel the House adjourned until to-morrow at 11 o'clock, A. M.

JANUARY, 27th 1880.

The House met pursuant to adjournment.

The roll was called and a majority being present the House proceeded to business.

The Journal of yesterday was read and approved.

Hon. Herrera of San Miguel, by leave, introduced a memorial, praying the office of Superintendent Indian Affairs be attached to the Executive Department.

Which was read the first time.

On motion of Hon. Aragon, the rules were suspended and the memorial read the second time.

On motion of Hon. Romero of Santa Fé, the rules were suspended and the Memorial read the third time.

The business on the Speaker's table was taken up.

"An act providing the mode of selecting jurors, and for other purposes," was read the first time and passed to the second reading under the rules.

On motion of Hon. Valdes, the House adjourned until 2½ o'clock P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.

The roll was called and a majority being present, the House proceeded to business.

The business on the Speaker's table was announced in order.

A Council Bill entitled :

"An act to Change the Picuries Precinct in the County of Taos,"

Was read the first time, and

On motion of Hon. Valdez, the act was rejected.

"An act providing for the Territorial and County debts,"

Was read the first time.

On motion of Hon. Valdez the act was rejected.

On motion of Hon. Hovey, the House proceeded to take up the "act providing for charging Jurors."

Which was read the second time.

Hon. Hovey moved the rules be suspended in order to read the act the 3rd. time, and

The ayes and noes being called, the motion to suspended the rules were affirmativd.

Ayes 13. Noes 8.

So the act was not referred.

Hon. Herrera, moved the act be referred to a select committee composed of one member from each County, and called for the ayes and noes, when the motion to refer was affirmativd.

Ayes 12. Noes 9.

The committee appointed are :

Messrs: Herrera of S. M., Valdez, Hovey, Cordova, Lucero, Lopez and Torres.

Hon. Hovey, by leave, presented the following resolution :

"Resolved by the House of Representatives: That the office of 4th, Clerk of this House filled by Mr. Faustin Baca y Ortiz, be and the same is hereby declared vacant, for the reason that the Clerk is not in the discharge of his duties, and has not given any written excuse for such failure."

Be it further resolved : Whereas, the House has not authorized any person to fill the said office of 4th. Clerk of this body; therefore, the House will now proceed to the election of a 4th. Clerk, to fill the vacancy occasioned by the absence of said Faustin Baca y Ortiz."

The resolution was adopted.

The House then proceeded to the election of the 4th Clerk.

Hon. Valdez, nominated Mr. Clemente Ootiz, and the being taken, Mr. Ortiz was unanimously elected 4th. Clerk.

On motion of Hon. Valdez, the Sergeant-at-arms, was sent to notify Mr. C. Ortiz of his appointment of 4th Clerk.

Hon. Lopez, introduced :

"An act abolishing the 10 precinct in the County of Valencia."

Which read the first time.

On motion of Hon. Lopez. the rules were suspended and the act read the second time.

On motion of Hon. Aragon of Rio Arriba, the rules were further suspended, the act read the third time and passed.

Hon. Hovey by leave submitted the following resolution :

Resolved: That the Chief Clerk of this House be instructed to inform the Hon. Secretary of the Territory, of the removal of the 4th Clerk, Faustín Baca y Ortiz, and the election of Clemente Ortiz in his place."

The resolution was adopted.

The unfinished business was then taken up.

"An act fixing the dividing line between precinct N.º 2 and 13 of the County of Rio Arriba."

Was read the second time;

Hon. Aragon of Rio Arriba, moved the rules be suspended for the purpose of reading the act the third time.

Which motion was rejected.

On motion of Mr. Valdez, the act was referred to a select committee composed of one member from each County:

The committee appointed are:

Messrs: Valdez, Hovey, Vigil, Lucero, Cordova, Aragon of San Miguel and Apodaca.

Hon. Hovey, by leave, submitted the following resolution:

Resolved: That the select committee to which was referred "An act relative to selecting Jurors, in the Courts of this Territory," be instructed and directed to make their report to-morrow in the first session."

The resolution was adopted.

Hon. Romero of Santa Fé, introduced a joint resolution protesting against the treaty of peace, made by the Superintendent of Indian Affairs and the Military Commandant with the Navajo Indians.

Which was read the first time.

On motion of Hon. Valdez, the preamble and joint resolution was laid on the table for one day.

On motion of Hon. Valdez, the House adjourned until to-morrow at 11½ o'clock A. M.

JANUARY, 28th. 1860.

The House met pursuant to adjournment.

The roll was called and there being a majority present, the House proceeded to business.

The journal of the previous day was read and approved.

Hon. Herrera of San Miguel, by leave, made the following report:

"The select committee to which was referred, an act providing the mode of selecting jurors," have had the same under consideration, and

with one amendment in section 10, of said act, report it back to the House and recommend the passage thereof, as amended?"

The report was adopted, and the act read the third time and passed.

Hon. Hovey, by leave, made the following report:

"The committee on Enrolled Bills, to which was referred, 'an act authorizing the Hon. Probate Judge of Taos County to hold Court in Mora,' have examined the same and find it correctly enrolled."

The report was adopted.

On motion of Hon. Hovey, the House took a recess for 15 minutes.

At the expiration of the 15 minutes the House was called to order.

Hon. Herrera of San Miguel, made the following report:

"The selecting committee of one member from each county to which was referred 'an act to provide for the protection of Slave property in this Territory,' and with an amendment, that shall inserted at the end of the section 29 of said act, report it back to the House and recommend the adoption of said amendment and passage of said act."

The report was adopted, and

On motion of Hon. Hovey, the rules were suspended, and the act was recommended to be read by the Clerk, when on motion of Hon. Jaramillo, the further reading of the act was dispensed with.

Whereupon, the act passed.

Hon. Hovey, made the following report:

"The committee on Enrolled Bills, to which was referred, a joint resolution, addressed to the Hon. Secretary of the Treasury, asking that the sum of \$2,500 be appropriated to complete the repairs on the Old Palace," have examined the same and find it correctly enrolled."

The report was adopted,

Hon. Lopez, moved the House adjourned until to-morrow at 11½ o'clock A. M. and

The ayes and noes having been called on the motion to adjourn, it was decided in the affirmative.

Ayes 17. Noes 4.

So the House adjourned.

JANUARY 29th, 1880.

The House met pursuant to adjournment.

The roll was called and a majority being present, the House proceeded to business.

The journal of yesterday was read and approved.

Hon. Valdez, presented a memorial addressed to His Excellency,

James Buchanan, President of the United States, setting forth injuries resulting to the people from the want of District Judges.

Which was read the first time.

On motion of Hon. Jaramillo, the rules were suspended and the memorial read the 2nd. time

On motion of Hon. Romero of Santa Fé, the rules were further suspended, the memorial read the third time and passed.

Hon. Hovey, introduced "an act, retracing the vice of Gaming."

Which was read the first time.

On motion of Hon. Herrera of San Miguel, the rules were suspended and the act read the 2nd. time.

Hon. Valdez, moved the rules be further suspended and the act read a third time. Not agreed to.

On motion of Hon. Lopez, the act was referred to a select committee of one member from each county.

The committee was composed of

Messrs: Lopez, Herrera of San Miguel, Hovey, Valdez, Lucero, Cordova, and Apodaca.

Hon. Hovey introduced "an act, punishing public Libellers."

Which was read the first time.

On motion of Hon. Jaramillo, the rules were suspended, and the act read the second time.

On motion of Hon. Romero of Santa Fé, the rules were further suspended, the act read the first time and passed.

A message was received from His Excellency the Governor stating that had signed the following entitled acts, which originated in this House to wit:

"An act, relative to the practice in the District Court."

"An act authorizing the Probate Judge of Taos County to hold a term of Court in Mora.

Hon. Hovey, introduced a Bill to entitled:

"An act, authorizing the constrution of a Market House in the city of Santa Fe."

Which was read the first time.

On motion of Hon. Benavidez the rules were suspended and the act read the second time.

On motion of Hon. Herrera of San Miguel, the act was referred to a select committee composed of three members from Santa Fe County.

The committee, was composed of

Messrs : Romero, Benavidez and Herrera.

Hon. Hovey, introduced :

"An act, authorizing the publication of the decisions and opinions of the Supreme court."

Which was read the first time.

On motion of Hon. Romero of Santa Fe. the rules were suspended and the act read the second time.

On motion of Hon. Valdez, the rules were further suspended, the act read the third time and passed.

Hon. Valdes, by leave made the following report :

"The select committee to which was referred "an act, deviding one precinct into two in the County of Rio Arriba," have had the same

under consideration and report it back to the House without amendment and recommend its passage."

The report was adopted, and the act passed to its third reading.

Hon. Vigil, by leave made the following report:

"The standing committee, to which was referred 'an act———', have the same under consideration and report it back to the House with an amendment and recommend its passage."

The report was adopted and the act passed to its third reading.

Hon Hovey, by leave, presented the following resolution.

Resolved: That the select committee to which was referred "An act relative to restraining the vice of Gaming," and "an act authorizing the construction of a Market House in the city of Santa Fe," be required to make their reports thereon, at the afternoon session, or if not, then at the first session thereafter.

The resolution was adopted.

On motion of Hon. Lopez, the business on the Speaker's table was taken up.

The Council concurred in the passage of the House joint resolution asking that the Surveyor General's office, be not removed from the seat of Government.

The Council concurred in the passage of the House Bill, "abolishing precinct 10, in the County of Valencia."

The Council "act defining the jurisdiction of the Probate Judges," was read the first time.

On motion of Hon. Apodaca, the act was rejected.

Hon. Romero of Santa Fe, introduced:

"An act, granting jurisdiction to the District Judges, Probate Judges and to Justices of the Peace."

Which was read the first time.

On motion of Hon. Aragon of R. A. the act was laid in the table for one day.

Hon Romero moved the House, adjourned until Monday next at 11 o'clock A. M.

Not agreed to.

On motion of Hon. Valdez, the House adjourned until 3½ o'clock P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.

The roll was called and a majority being present the House proceeded to business.

On motion of Hon. Aragon of Rio Arriba the House proceeded to take up:

"An act dividing one precinct into two in Rio Arriba County."

The act was read the third time and passed.

Mr. Herrera of San Miguel, by leave, made the following report

"The select committee to which was referred "an act, relative to stock" for the purpose of copying the same, have carefully copied it, and report it back to the House for action thereon"

The report was adopted and the act read the first time.

On motion of Hon. Jaramillo, the rules were suspended and the act read the second time.

On motion of Hon. Romero of Santa Fé, the act was referred to a select committee of one member from each county.

The committee appointed, was composed of Messrs Romero of Santa Fé, Valdez, Lopez, Torres, Aragon of San Miguel and Lucero

Hon. Lopez by leave made the following report:

"The select committee to which was referred "an act, restraining the vice of Gaming" have the honor to report to the House that the committee have had the act under consideration and report it back and recommend its passage."

The report was adopted.

On motion of Mr. Hovey, the rules were suspended, the act read the third time and passed.

Hon. Valdez introduced

"An act, amendatory of the justices of the peace and constables Fee Bill," which was read the first time.

On motion of Hon. Hovey, the rules were suspended and the act read the second time, and

On motion of Mr. Valdez, the rules were further suspended, the act read the third time and passed.

Hon. Romero of Santa Fé, by leave, made the following report

"The select committee to which was referred "An act, providing for the construction of a Market House in the City of Santa Fé, have had the same under consideration, report it back to the House and recommend its passage."

The report was adopted and the act read the third time and passed.

On motion of Hon. Romero of Santa Fé, the Preamble and Joint Resolution, relative to the Treaty with the Navajoes, was taken up and read the second time.

On motion of Herrera of San Miguel, the Joint Resolution was referred to a select committee of one member from each county.

The committee appointed is composed of

Messrs Herrera of San Miguel, Vigil of Taos, Vigil of Valencia, Hovey, Lucero, Martinez and Apodaca.

On motion of Mr. Romero of Santa Fé, the House adjourned until Monday 31st. inst. at 11 o'clock A. M.

JANUARY, 31th. 1859.

The House met pursuant to adjournment.

The roll was called and there being a majority present, the House proceeded to business.

The journal of the previous day was read and approved.

On motion of Mr. Vigil, the House proceeded to take up the unfinished business.

"An act relative to the northern boundary of the County of Valencia," was read the third time and passed.

Hon. Romero of Santa Fé, introduced a Joint Resolution

"Authorizing the publication of the Laws and Journals of the present session of the Legislature," which was read the first time.

On motion of Mr. Lopez, the rules were suspended and the Resolution was read the second time.

On motion of Hon. Hovey, the Resolution was referred to a committee of one member from each county.

The committee appointed was composed of Messrs Hovey, Valdez, Aragon of Rio Arriba, Vigil of Valencia, Torres and Herrera of San Miguel.

Hon. Lucero moved the House take a recess for 10 minutes. Not agreed to.

Mr. Jaramillo by leave introduced a Joint Resolution, "requiring the different committees to report on all matters referred to them before the final adjournment," which was read the first time.

On motion of Hon. Valdez, the resolution was laid on the Table for one day.

Hon. Aragon of Rio-Arriba, asked leave to deliver a discourse, which was granted.

After Hon. Aragon had concluded,

Hon. Valdez moved that one hundred and fifty copies of the discourse be published, 100 in Spanish and 50 in English.—Not agreed to.

Hon. Herrera of San Miguel, proposed Mr. Faustin Baca y Ortiz, for the office of 4th clerk for the reason that the 4th clerk had failed to appear and be qualified.

The vote being taken the motion was negatived. Ayes 9, Noes 12

Hon. Jaramillo appealed from the decision of the Speaker, whereupon the decision of the Speaker was sustained.

Hon. Herrera of San Miguel, moved the House, do now adjourn until to-morrow at 10½ o'clock A. M. Not agreed to.

On motion of Mr. Torres, the business on the Speaker's Table was taken up.

"An act fixing the limits of precincts in the County of Rio Arriba," was rejected by the Council.

The House Bill entitled

"An act fixing the northern boundary of the county of Valencia," was rejected by the Council.

The Council concurred in the passage of the House a Bill entitled

"An act, authorizing the publication of the decisions and opinions of the Supreme Court," with the following amendment

"That two thirds be published in Spanish and one in English."

The amendment was adopted.

The Council concurred in the passage of

"An act providing for the construction of a Market in the City of Santa Fé."

The Council concurred in the passage of a House memorial, addressed to the President, James Buchanan, relative to the Judges of this Territory.

A Council joint resolution, relative to the final adjournment of the Assembly."

Was read the first time.

On motion of Hon. Herrera of San Miguel, the rules were suspended and the resolution read the second time.

Hon. Hovey offered the following amendments :

Insert in line first, "that a committee shall be appointed," and strike out the words "five in the afternoon," and insert "12 o'clock, M."

The amendments were adopted

On motion of Hon. Herrera of San Miguel, the rules were suspended, the resolution read the third time and passed.

Hon. Lopez, introduced :

"An act, establishing the times and places of holding the District Courts in the several Counties."

Which was read the first time.

On motion of Hon. Herrera of San Miguel, the rules were suspended and the act read the second time.

On further motion of Hon. Herrera of San Miguel, the rules were suspended and the act read the third time and passed.

Hon. Hovey, made the following report :

"The committee on enrolled Bills, to which was referred 'an act creating 2 additional precincts in the County of Taos,' and a preamble and joint resolution, to the Hon. John S. Phelps, Senator from the State of Missouri, have examined the same and find them correctly enrolled."

The report was adopted:

Hon. Valdez, by leave, presented the following resolution :

Be it resolved by the House of Representatives of the Territory of New Mexico.

"That a committee of three members appointed by the Speaker of House for the purpose of visiting the Hon. Guadalupe Gallegos, Speaker proper of this House, and express the regret of this body, for his illness."

The resolution was adopted.

The committee was composed of

Messrs Valdez, Hovey, and Herrera of San Miguel.

Hon. Romero of Santa Fé, by leave, presented the following resolution:

Resolved, that the Chief Clerk, be required to insert the reports of the Auditor and Treasurer, in the proper place in the journal."

The resolution was adopted.

Hon. Apodaca, by leave introduced,

"An act relative to the duties of the several judges of Probate of this Territory."

Which was read the first time.

On motion of Hon. Hovey the rules were suspended, and the act read the second time.

Hon. Aragon of Rio Arriba, moved the act, he referred to the committee on County boundaries. Not agreed to.

On motion of Hon. Valdez, the act was referred to the committee on Territorial Affairs.

On motion of Hon. Lucero, the House adjourned until to-morrow at 11 o'clock A. M.

FEBRUARY, 1st 1859.

The House met pursuant to adjournment.

The roll was called and a majority being present the House proceeded to business.

The Journal of yesterday was read and approved.

Hon. Hovey, by leave made the following report:

"The standing committee on Territorial Affairs, to which was referred, "an act, relative to the duties of the several Probate judges of the Territory of New Mexico," have the honor to report the same back to the House, and recommend it passage, with accompanying amendment."

Hon. Herrera of San Miguel, moved the report be rejected.

The vote being taken on the motion to reject the report, it was negatived.

Ayes 9. Noes 12.

So the report was not rejected.

The act passed to its third reading under the rules.

Hon. Hovey, by leave, made the following report

"The select committee to which was referred a Joint Resolution, relative to the publication of the Laws and Journals of the present Session of the Assembly, have had the same under consideration and beg leave to report a substitute therefore and recommend its passage."

The report was adopted:

The substitute was read the first time.

On motion of Hon. Romero of Santa Fé, the rules were suspended and the substitute read the 2nd time.

On motion of Valdez, the rules were further suspended, the substitute read the third time and passed.

Hon. Hove introduced a Joint Resolution requiring the Chief Clerks of both Houses to have all acts, Joint Resolutions and Memorials enrolled in time of the presiding officer of each House to sign before the final adjournment, which was read the first time.

On motion of Hon. Romero of Santa Fé, the rules were suspended and the Resolution read the second time.

On motion of Hon. Herrera of San Miguel, the rules were further suspended, the Resolution read the third time and passed.

Hon. Herrera of San Miguel, made a minority report from the committee to whom was referred the Resolution relative to the Treaty of Peace made with Navajoes, in which he recommends the passage of the Resolutions.

Hon. Hovey, from the above committee, by leave made a majority report relative to the same subject, in which he recommends the preamble and joint resolution be rejected.

And the vote being taken, the majority report was adopted, and The preamble and joint resolution rejected.

A committee from the Council appeared, and requested the signature of the Speaker to certain acts passed by the Assembly.

Whereupon, the Speaker announced that he had signed acts of the following titles, to witi, which originated in the Council :

"An act providing the mode of selecting jurors,"

"A joint resolution, authorizing the Secretary to have Government's Contracts printed.

A joint Resolution, requesting the Governor to transmit copies of a law creating additional precincts in the County of San Miguel, to the Probate Judge thereof.

An act, creating the office of Attorney General for the Territory."

An act authorizing a revision of the Laws, and

A joint resolution, authorizing the Governor to offer a reward for the apprehension of the murderers of Thomas Rowland.

Hon. Hovey, by leave, made the following report :

"The standing committee on Enrolled Bills, to which was referred "an act abolishing precinct N. ° 10 in the County of Valencia, and a joint resolution, relative to the Surveyor General's office, have had the same under advisement and find them correctly enrolled."

The report was adopted.

Hon. Valdez, by leave, introduced :

"An act, providing for two terms of the Supreme Court in each year etc." Which was read the first time.

On motion of Hon. Valdez, the rules were suspended and the act read the second time.

On motion of Hon. Jaramillo, the rules were further suspended, the act read the third time and passed.

Hon. Valdez, introduced :

"An act declaring, what shall be evidence in certain cases."

Which was read the first time.

On motion of Hon. Valdez, the rules were suspended and the act read the second time.

On motion of Hon. Romero of Santa Fé, the rules were further suspended, and the act read the third time, when

On motion the ayes and noes being called on the final passage of the act.

On the question, shall the act pass it was decided in the affirmative
Ayes 12. Noes 9.

So the act passed.

Hon. Jaramillo, moved the House adjourn until 5 o'clock P. M. Not agreed to.

Hon. Romero of Santa Fé, moved the House adjourn until to-morrow at 11 o'clock A. M.

Not agreed to.

Hon. Valdez, moved the House adjourn until 2½ o'clock P. M.

Not agreed to.

Hon. Romero of Santa Fé, moved the House adjourn until to-morrow at 2 o'clock P. M.

Not agreed to.

On motion of Hon. Hovey, the House adjourned until 4 o'clock P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.

The roll was called and a majority being present, the House proceeded to business.

On motion of Hon. Romero of Santa Fé, "an act granting jurisdiction to the District Judges, Probate Judges and to Justices of the peace, was taken up, and read the second time.

On motion of Mr. Romero of Santa Fé, the act was referred to a select committee of three members.

The committee are

Messrs. Romero of Santa Fé, Valdez and Cordova.

Acts on their third reading were declared in order.

"An act, relative to the duties of the several Probate Judges of the Territory of New Mexico," was read the third time and the ayes and noes being taken on the final passage of the act, it was decided in the negative. Ayes 7, Noes 10.

So the act was rejected.

Hon. Valdez by leave introduced

A Joint Resolution relative to C. Carson, Indian Agent, which was read the first time.

On motion of Hon. Herrera of San Miguel, the rules were suspended and the Resolution read the second time, when

On motion of Hon. Valdez, the rules were further suspended, the Resolution read the third time and passed.

The business on the Speaker's table was then taken up.

A House Joint Resolution, relative to the Chief Clerks, was concurred in by the Council.

The Council concurred in the passage of

"An act, establishing the times and places for holding the District Courts in the different counties.

A Council Joint Resolution, "relative to the printing of the Laws," was returned to the council for the reason, that one on the same subject and for the same purpose had been passed by both Houses.

Mr. Hovey introduced a memorial, asking for an appropriation of one Hundred Thousand dollars to construct a road from Neosho to Albuquerque, which was read the first time.

On motion of Mr. Romero of Santa Fé, the rules were suspended and the memorial read the second time and

On further motion of Hon. Romero of Santa Fé, the rules were further suspended, the memorial read the third time and passed

Hon. Herrera of San Miguel moved the House adjourn until 3 o'clock P. M.

On motion of Mr. Lopez the House adjourned until to-morrow at 11 o'clock A. M.

FEBRUARY 2nd, 1880

The House met pursuant to adjournment.

The roll was called and a majority being present, the House proceeded to business.

The journal of yesterday was read and approved.

On motion of Hon. Valdez the business on the Speakers Table was taken up.

The council concurred in the passage of a House Bill "Relative to two terms of the Supreme Court."

The House Joint Resolution, relative to C. Carson, was concurred in by the Council.

The council concurred in the passage of the House Bill, "providing against the vice of Gaming."

A Council Bill,

"Providing for the collection of Territorial and County revenue," was read the first time.

On motion of Mr. Valdez, the rules were suspended and the act read the second time.

On motion of Mr. Apodaca, the act was referred to one member from each county.

The committee appointed are :

Messrs : Apodaca, Vigil of Valencia, Cordova, Vigil of Taos, Hovey and Aragon of San Miguel.

Hon. Hovey, reported to the House, that the committee on Enrolled Bills, had examined "an act, authorizing the construction of a Market House in the City of Santa Fé," and find it correctly enrolled."

The report was adopted.

Hon. Romero of Santa Fé, introduced :

"An act prohibiting planting in the common pasture grounds."

Which was read the first time.

Hon. Apodaca, moved the act be rejected, and called for the ayes and noes, and the vote being taken the motion to reject was negatived by a vote of 8 affirmative to 10 negative.

So the act was not rejected.

Hon. Apodaca, moved the House adjourn until to-morrow at 5 o'clock P. M. Not agreed to.

Hon. Aragon moved, the rules be suspended and the act read the second time, Not agreed to.

Hon. Hovey, moved, the rules be suspended, and the act read the second time, in order to refer it to a committee. Not agreed to.

The act passed to its second reading under the rules.

Hon. Hovey, introduced :

"An act to favor the Navigation of the Rio del Norte."

Which was read the first time.

Hon. Aragon, of Rio Arriba, moved the act be rejected, and called for the vote on the motion to reject and the ayes and noes being called it was decided in the affirmative.

Ayes 15. Noes 4.

So the act, relative to opening the navigation of the Rio del Norte was rejected.

Hon. Hovey, from the committee on Enrolled Bills, reported as correctly enrolled :

"An act providing for the publication of the opinions of the Supreme Court," and

"A memorial, to the President of the United States setting forth the sufferings of the people, for the want of Judges in the Territory."

Which report was adopted.

Hon. Valdez, moved to take up the "act, relative to certificates."

Whereupon, the act was read the third time and passed.

The business on the Speaker's table was taken up.

A joint resolution, tending thanks to the Military Officers, who had served in the Navajo war, was read the first time, and

On motion of Hon. Aragon of Rio Arriba, was laid in the table indefinitely.

Hon. Vigil of Valencia introduced :

"An act relative to agriculture," was read the first time.

On motion of Hon. Romero of Santa Fé, the rules were suspended and the act read the second time.

On motion of Hon. Apodaca, the act was referred to a committee of three members.

The committee appointed are :

Messrs : Apodaca, Mares and Romero of Santa Fé.

Hon. Jaramillo, introduced :

"An act, relative to the right of property."

Which was read the first time.

On motion of Hon. Romero of Santa Fé, the rule: were suspended and the act read the second time.

On motion of Hon. Romero of Santa Fé, the act was referred to a special committee.

The committee appointed are :

Messrs : Romero of Santa Fé, Valdez and Herrera of San Miguel.

On motion of Hon. Valdez, the House adjourned until 3 1/2 o'clock P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.

The roll was called and a majority being present the House proceeded to business.

Hon. Herrera of San Miguel, moved a call the House.

The roll being called, Hon. Jaramillo, did not respond when his name was called.

On motion of Hon. Aragon, of R. A. the further call of the House was suspended.

Hon. Romero of Santa Fé, from the select committee to which was referred, "an act relative to the right of the citizens to their own property," reported that the committee could not understand the act and request that the author thereof be required to explain the same.

The report was adopted, and

On motion of Hon. Valdez, the act was returned to Hon. Jaramillo for explanation.

On motion of Hon. Herrera of San Miguel, Hon. Jaramillo was excused from explaining.

On motion of Hon. Aragon, the act was rejected.

Hon. Valdez, by leave reported on the joint resolution, relative to revision of the Laws, reported it back to the House with an amendment and recommend its passage.

The report was adopted together with the amendment,

The resolution as amended, was read the third time and passed.

On motion of Hon. Torres, the business on the Speakers table, was taken up

The Council rejected a House joint resolution granting four days to the Clerks to finish the business of the Assembly after the final adjournment thereof.

The House memorial, asking that the office of Superintendent of Indian Affairs be attached to the executive, was rejected by the Council.

A Council Bill entitled: "An act relative to attachements," was read the first time.

On motion of Hon. Taldez, the rules were suspended and the act read the second time.

On motion of Hon. Herrera of San Miguel, the rules were further suspended, the act read the third time and passed.

A Joint Resolution, relative to Lieut. Edw. F. Beale, was read the first time.

On motion of Mr. Romero of Santa Fé, the rules were suspended, and the Resolution read the second time, and

On motion of Hon. Valdez, the rules were further suspended, and the resolution read the second time, and

On motion of Mr. Valdez, the rules were further suspended, the Resolution read the third time and passed.

Mr. Hovey from the committee on enrolled Bills, reported that

"An act providing for two terms of the Supreme Court, and

A Joint Resolution, relative to C. Carson, Indian Agent," were correctly enrolled

The report was adopted

Mr. Aragon of Rio-Arriba introduced

"An act relative to raising revenue," which was read the first time.

On motion of Hon. Romero of Santa Fé, the rules were suspended and the act read the second time.

Hon. Valdez offered the following amendment: Insert, "That it shall not effect in Taos."

The amendment was adopted, and the act remained among the unfinished business.

On motion of Hon. Apodaca, the House adjourned until to-morrow at 10 o'clock A. M.

FEBRUARY, 3d 1850.

The House met pursuant to adjournment.

The roll was called and a majority being present the House proceeded to business.

The Journal of yesterday was read and approved.

A committee from the Council appeared and requested the Speaker to sign certain acts passed by both Houses.

Whereupon, the Speaker informed the House that he had signed

"An act, amendatory of the Attachment Law,"

Hon. Hovey made the following report

"The committee on Enrolled Bills, to which was referred

"An act, providing for the protection of Slave Property in this Territory."

"An act entitle^d an act, restraining the vice of Gaming."

A Joint Resolution "authorizing the prohibition of the laws, Joint Resolutions and Memoriales passed at the present session."

"An act to establish the times and places for holding the District Courts in the several Counties," and a Joint Resolution, "relative to the duties of the Chief Clerks," all of which are correctly enrolled.

The report was adopted.

A committee from the Council appeared and informed this House, that Messrs. H. Connelly, A. Chacon and Miguel Sena y Romero, had been appointed a Committee on the part of the Council to confer with a similar one on the part of the House on the Joint Resolution, relative to the revised Code.

Whereupon, Mr. Speaker appointed on the part of this House Messrs. Valdez, Hovey and Vigil of Valencia.

A committee from the Council was received, who informed the House that Messrs. H. Connelly, Miguel Sena y Romero and C. Jaramillo had been appointed as a committee of conference on the part of that body to confer with a similar one on the part of this House.

The committee appointed on the part of this House are

Messrs. Herrera of San Miguel, Romero of Santa Fe and Cordova.

Hon. Valdez introduced a Joint Resolution "Tendering thanks to His Excellency, Governor A. Rencher for his courtesy in all his relations with the Assembly during the present session."

Which was read the first time.

On motion of Hon. Romero of Santa Fe, the rules were suspended and the resolution was read the second time.

On motion of Hon. Aragon the rules were again suspended, the Resolution read the third time and passed.

Hon. Herrera of San Miguel presented the following resolution

Resolved, "That the thanks of this House be tendered to the officers thereof for the faithful and able manner in which they have discharged their respective duties during the present session, and particularly to the Chief Clerk, who by his energy and ability has aided this House greatly in the dispatch of business."

The resolution was adopted.

On motion of Hon. Valdez, the House took a recess for 15 minutes

At the expiration of the 15 minutes the House was called to order.

Hon. Romero of Santa Fe, presented the following resolution

Resolved by the House of Representatives of the Legislative Assembly of the Territory of New Mexico: "That the members thereof acknowledge their gratitude and high appreciation, for the activity and able manner of Jose Guadalupe Gallegos, Speaker of this House, in which he has discharged the duties of said office, during the present session, and the thanks of this House is also hereby tendered to the Hon. Felipe Sanchez, Speaker *pro tem.*, who has presided during the absence of the Hon. Jose Guadalupe Gallegos, caused by sickness."

The resolution was adopted.

The Speaker announced to the House, that he had received a communication from the Hon. Jose Guadalupe Gallegos, expressing to the members of the House, his sincere acknowledgements for the honor conferred upon him, in choosing him to preside over this body during the session.

On motion the House adjourned until this afternoon.

AFTERNOON SESSION.

The House met pursuant to adjournment.

The roll was called and a majority being present, the House proceeded to business.

Hon. Herrera of San Miguel, introduced a joint resolution, tending thanks to Colonel B. L. O. Bonneville and other Officers of the United States Army for their energy in the late Navajo war." Which was read the first time.

On motion of Hon. Valdez, the rules were suspended and the resolution read the second time.

Hon. Valdez, moved the rules be suspended and the resolution read the third time, and.

Called for the ayes and noes.

The vote being taken it was decided in the negative,

So the rules were not suspended.

A message was received from His Excellency the Governor, in which he informed the House that he declined signing the Bill entitled:

"An act to restrain the vice of Gaming."

A committee from the Council appeared, and solicited the signature of the Speaker to certain acts passed by both House of the Assembly.

Whereupon, the Speaker informed the House, that he had signed a memorial asking for an appropriation of \$100,000.

"A Joint Resolution relative to the final adjournment."

"A joint resolution relative to the revised code," and

"A joint resolution, tendering thanks to Governor A. Rencher."

All of which was approved by the House.

On motion of Hon. Herrera of San Miguel, a committee was appointed to present a copy, of the resolution passed by this House, to the Hon. José Guadalupe Gállegos, in which thanks were tendered to him.

The committee appointed are

Messrs. Herrera of San Miguel, Lucero and Hovey.

Hon. Apodaca introduced "an act amendatory of the act relative to the practice in the District Courts."

Which was read the first time.

On motion of Hon. Lucero, the rules were suspended and the act read the second time.

On motion of Hon. Apodaca, the rules were further suspended, the act read the third time and passed.

On motion of Hon. Aragon of R. Arriba, the business on the Speaker's table was taken up.

"A Council resolution, relative to the final adjournment of the Assembly, was read the first time.

On motion of Hon. Benavides, the rules were suspended and the resolution read the second time.

On motion of Mr. Martinez the rules were again suspended, the resolution read the third time and passed

Mr. Hovey made the following report

"The committee on Enrolled Bills, to which was referred "an act to amend the practice in the District Court," have examined the same and find it correctly enrolled.

The report was adopted

Hon. Hovey made the following report

"The committee on Enrolled Bills to which was referred "an act, relative *certiorari* in certain cases," have examined the same and find it correctly enrolled."

The report was adopted.

A message was received from His Excellency the Governor, by Hon. Samuel Ellison his Private Secretary, informing the House that he had signed and approved the following entitled acts passed by both Houses.

"An act providing for two terms of the Supreme Court."

"An act to provide for the publication of the decision of the Supreme Court."

"An act creating two additional precincts in the County of Taos."

"An act abolishing precinct 10 in Valencia county."

"An act authorizing the construction of a Market."

"An act, fixing the times and places for holding the District Courts."

"An act, for the protection of Slave property," and

"A Joint Resolution, relative to the publication of the laws passed at the present session."

On motion of Hon. Hovey, a committee was appointed to inform His Excellency the Governor, that the House was ready to adjourn *sine die*.

The committee appointed are :

Messrs : Hovey, Lucero and Aragon of Rio Arriba.

On motion of Hon. Valdez, a committee was appointed to inform the Hon. Council, that this House is now ready to adjourn.

The committee appointed are :

Messrs : Valdez, Aragon of San Miguel, and Cordova.

Both committees reported that they had complied with the duties assigned them.

There being no further business, and the time fixed in the joint resolution having arrived, for the final adjournment.

Hon. Hovey, moved the House do now adjourn *sine die*.

The vote being taken on the motion to adjourn *sine die*, it was decided in the affirmative.

Whereupon, the Speaker declared this House adjourned *sine die*.

[Signed]

JESUS MARIA SENA y BACA,
Chief Clerk of House of Representatives.

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